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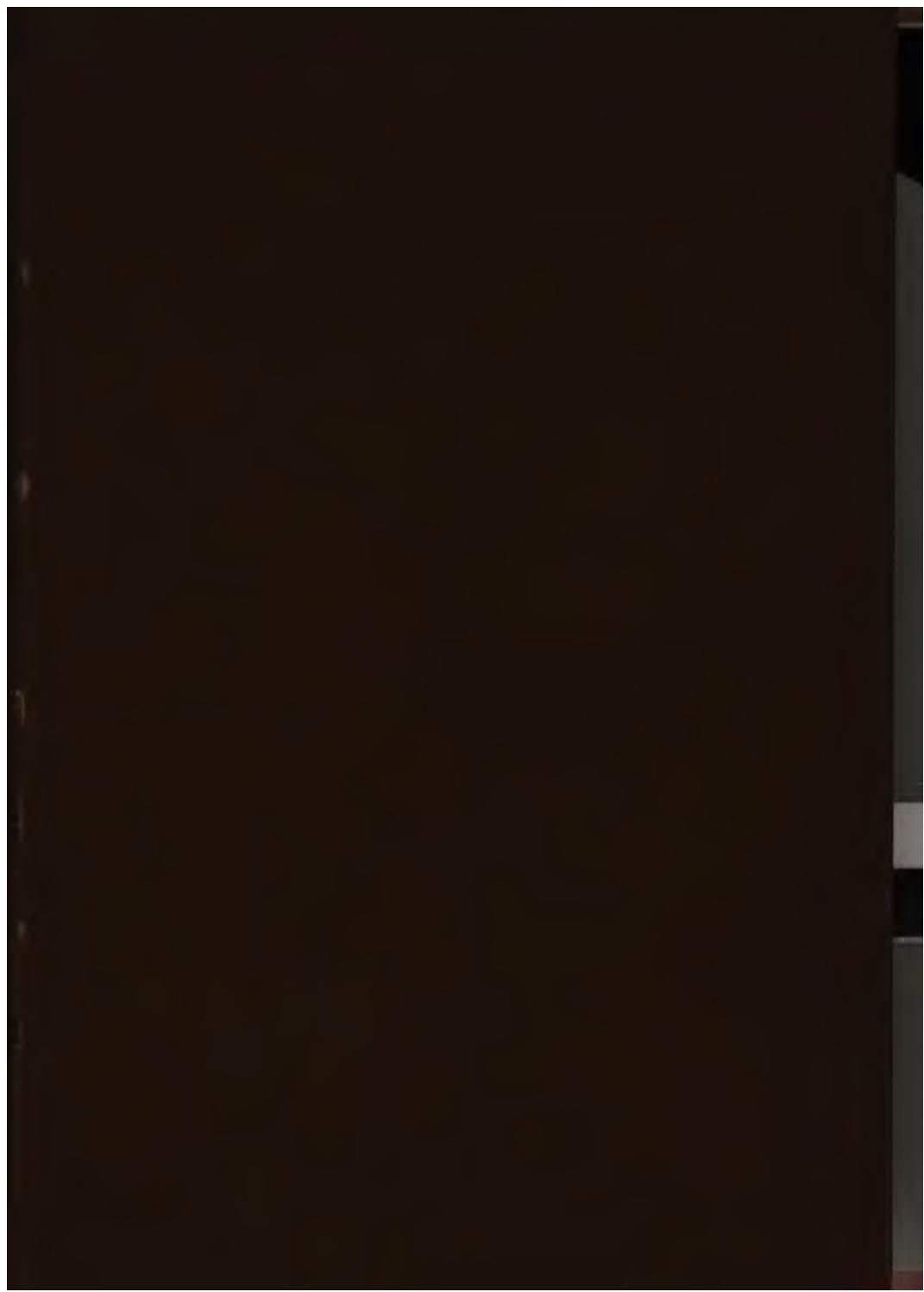
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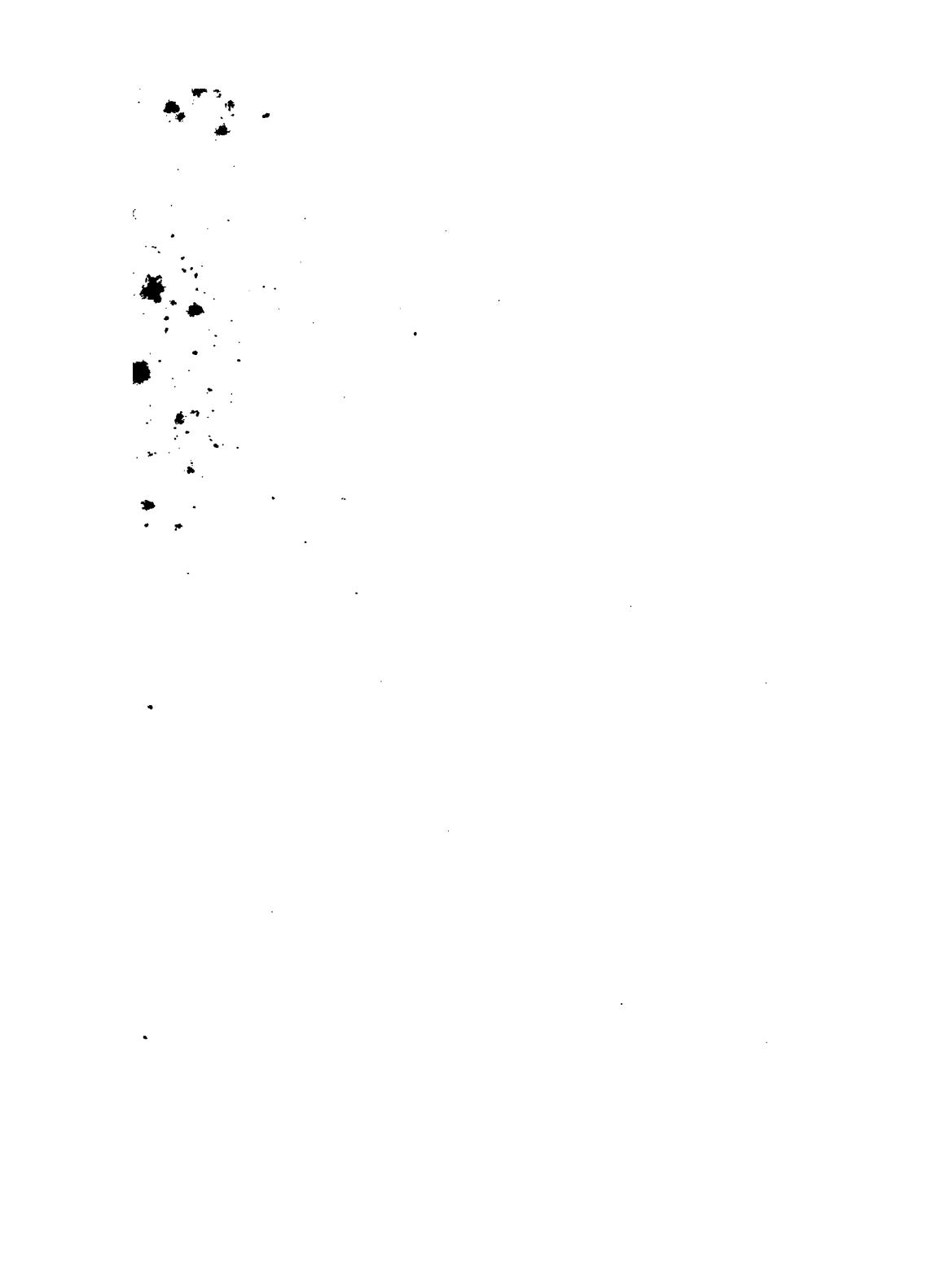
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Price One Shilling and Sixpence.

*An Anti-Slavery*  
**ARGUMENT**  
FOR THE  
LEGISLATIVE PROHIBITION  
OF THE  
**LIQUOR TRAFFIC:**

BY DR. FREDERIC RICHARD LEES.

(THE ESSAY TO WHICH THE ALLIANCE FIRST PRIZE OF ONE HUNDRED GUINEAS  
WAS AWARDED.)

---

LONDON:  
WILLIAM TWEEDIE, 337, STRAND.  
MANCHESTER: UNITED KINGDOM ALLIANCE,  
61, JOHN DALTON-STREET.  
1856.

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1856.

ERRATA IN SOME COPIES.

Page 7, line last of text, *for* 'than he cannot' *read* 'that he cannot.'

Page 49, fifth line of note, *for* 'master' *read* 'mastery.'

Page 69, line five from bottom (in note), *for* 'beggared era' *read* 'blessed era.'

Page 96, line twenty-seven, *for* 'Stanton' *read* 'Sinton.'

Page 105, ten lines from bottom, *for* 'statute,' *read* 'statue.'

Page 116, twenty lines from top, *instead of* '£3,000,000 of our county and local rates,' etc., *read* '£1,000,000 of our county and local rates, of £1,000,000 through the lessening of disease and accident, of £1,000,000 worth of property saved from plunder by the diminution of crimes,' etc.

Page 201, line two, *for* 'dearer' *read* 'dear.'

Page 201, line twenty-nine, *for* 'spirits' *read* 'wages.'

Page 246, line three from bottom, *for* 'well' *read* 'were.'

Page 253, line eleven from bottom, *insert* 'was' *after* 'news.'

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Suggestions, corrections, or illustrative facts of moment, will be esteemed by the Author, as a *second edition* will be shortly put to press, THE PRESENT ONE OF ELEVEN THOUSAND COPIES HAVING BEEN SUBSCRIBED FOR BEFORE THE DAY OF PUBLICATION.

MEANWOOD, near LEEDS, August 30th, 1866.



### Motios.

"It is impossible to exaggerate the evils of Drunkenness."

*Westminster Review.*

"We are convinced that if a Statesman, who heartily wished to do the utmost good to his country, were thoughtfully to enquire which of the topics of the day deserved the most intense force of his attention, the sure reply—the reply which would be exacted by full deliberation—would be, that he should study the means by which this worst of plagues can be stayed."

*North British Review.*

"Something must be done."—*The Times.*

"The Law of Humanity must needs interfere with the right of Property."

*The Examiner.*

"Let Government banish from the State whatever is fitted only to corrupt the morals of the People."

*Vattel.* lib. i. chap. xi. § 165.

"It is clearly shown by Parliamentary returns, that Vice and Drunkenness are in proportion to the number of Public-Houses, and to the facilities for obtaining intoxicating drink."

*Birmingham Publicans.*

## CONSTITUTION OF THE ALLIANCE.

---

I.—This Association shall be denominated "THE UNITED KINGDOM ALLIANCE."

II.—The object of the Alliance shall be to call forth and direct an enlightened Public Opinion to procure the Total and Immediate Legislative Suppression of the Traffic in all Intoxicating Liquors as Beverages.

III.—All persons approving of its object, and contributing annually to its funds, shall be deemed Members of the Alliance.

IV.—The Alliance shall be under the direction of a President, Vice-Presidents, General Council, and Executive Committee.

V.—The General Council shall be augmented to any extent and in any manner the Executive Committee may direct. The President, Vice-Presidents, and Executive Committee shall be elected at the Meeting of the General Council, to be held in the month of October in each year. The Executive Committee shall consist of Members of the General Council, and shall meet as often as it may be deemed expedient, to adopt and carry out all advisable means for promoting the object of the Alliance.

VI.—Members of the General Council, as such, shall not be held liable for any debts contracted on behalf of the Alliance; and no funds of the Association shall be disbursed, nor any liability incurred, except under a minute of the Executive Committee.

VII.—The Alliance, basing its proceedings on broad and catholic grounds, shall, at all times, recognize its ultimate dependence for success on the blessing of ALMIGHTY GOD.



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## THE AUTHOR TO THE READER.

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E desire to apprise the reader of two or three facts, in relation to the Object and Composition of the following Essay, ere he enters upon its perusal.

As to the purport of this Argument, let us state distinctly that we have sought, fully and fairly, to discuss the theme undertaken, as a question of social *ethics*. We have not been debating a Parliamentary bill; we have no measure to propose, but a system to investigate, and a principle to expound. The question, then, between Author and Reader, is not this—"What *will* you do?" or "What *will* the nation do?"—but what *OUGHT* we to do? What, in this matter, is the nation's true policy, immediate interest, and imperative *duty*? If any one is intolerant of this discussion—if he cannot bear the light; or if, for other reasons, the debate is distasteful—he will *do* quietly with this book, what at Bristol, Exeter, and Oxford, a certain 'craft' riotously attempted to do with its Author—*put it down*. In both cases, the legal power of refusing a hearing is indisputable—though in the first way that power may be exercised without trenching on the liberty of speech (since the book is a completed utterance); in the second, it is the denial, in the most *dis*-reasoning method, of the most intellectual right of a reasonable being, by a body of men best characterized—by their own act of *Unreason*.

If, on the other hand, any one who chooses to peruse this Book, to weigh its facts and opinions, and, being unaffected or unconvincing, will attempt to refute its

positions, in all their essential points and breadth,—the Author assures such an one, that his counter-argument shall be considered in all candour, and noticed hereafter with all fairness. We have, throughout, stated what we believe to be the truth of fact and of inference; but, perfectly conscious of our liability to error, we are quite open to correction. Sincerity does not exclude fallibility.

And while we claim the right to speak and argue freely on this subject—free from clamour and other unseemly methods of interruption—it is but justice to remind the public, that the Alliance proposes no coercive law to enforce the convictions of its members upon *them*. The 'total and immediate prohibition' contended for, is of course conditional on the *formation* of a Public Opinion of the same kind as its own—it proposes that the evil shall be removed *as soon* as the Nation shall come to regard it as a *total* evil—and not one day before.

We make no apology either to Critics or the Public in reference to the execution of the Essay as a literary performance. The critics, if it so please them, may say the smartest things of its style, and be quite 'killing' in their tone of contempt—if only they will pounce upon the argument, and not ignore the facts? The Book was not, like a novel, penned to please, but to convince; or at least, to induce the serious and meditative portion of the public to *consider*. This is the great thing in practical reforms. The Essay is to be viewed, therefore, from this standing point—as an earnest, however imperfect, Argument addressed to Thoughtful people, on a subject of practical and pressing moment. It is the picture of the subject, rapidly sketched out and filled in, as it stands before the Author's own mind—which, affecting and convincing himself, he presumed to believe might do something to affect and convince others.

In the execution of our self-imposed task, it may be

deemed by some fastidious reader, that we have written somewhat too confidently—a few passages too vehemently. Perhaps so—and, therefore, we say here—If it should seem thus to you, let not the Truth suffer for *our* offence. A public writer has insisted that, in advocacy as in diplomacy, 'a blunder is *worse* than a crime.' Passing by the fallacy of equivocation which lurks in the word 'worse'—we admit that the *effects* of a mistake (whether logical or practical; whether in the use of words or in the use of wine) may be worse than those of some petty crime. In this case, however, we speak of an expression—as being hard or soft, rough or smooth. We have endeavored to be *just*—we make no pretensions to studied polish; we have, at times, *intended* to strike, and then have not held back the hammer, nor sought to moderate the blow. Not aiming to be a 'Leader,' but a human *organ* of Truth, we have, without false humility or sham, just spoken with that measure of confidence with which the truth may have inspired us; and in such language as we could summon at the moment to our aid. Since, then, we disavow all *authority*—and scout and scorn for ourselves the virtue of the mysterious 'we'—no one, we trust, like 'the blind followers of the blind,' will either accept what we affirm, because *we* affirm it, nor reject it because *we* affirm it, not quite *a la mode*!

In respect to one point, we can hardly be mistaken. However unsuccessful we may have been in producing facts and arraying arguments fitted to convince some individuals of the wisdom of the *remedy* specially proposed for the prevention of that portion of Drunkenness, Pauperism, and Crime connected with the Traffic, as regards the *Evil* itself, the extensive publication of so vast a body of Facts *must* do good by deepening the public sense of its magnitude and intensity. In this aspect of the subject, then, the work may be regarded as at least an *useful* contribution towards the public instruction of the nation—*minus* the ordinary share of human *error*.

Though no apology, we have a *confession* to make to the Critics. We know the stereotyped jokes about Prize Essays—and the old platitudes may be revived—because convenient. It is our pleasure, then, to anticipate and prevent the needless labor by saying—"Perfectly true, gentlemen! *We* could have written a better Essay, if we had had more time—and we *could* have had more time, if we had had more money, or even that we had, made certain. But the real business is not with the *ifs*, but the *is*. Here is the actual Book—here its actual facts and arguments: what have you to say to them? If you will refute it, we won't write a better—since it would be time mis-spent—on that side; and if you can't confute this, the present will very well serve the purpose."

In fact, however, this is hardly a Prize Essay at all, since it was not written *for* the prize. Up to April, 1855, when the period for forwarding Essays expired, we had positively declined the competition, from the feeling of our incompetency, within such time as we could command from professional avocations, to do adequate justice to the great theme. The original period, however, was extended to the 1st of October, 1855, and it was not until the 5th of September, at the pressing solicitation of a gentleman whose friendship we highly esteem, that we commenced this argument, and concluded its last sentence on the night of the 29th. We mention this circumstance for three reasons—to account first, for the form and style of some parts of the Essay—second, to illustrate the amount of work that may be done on temperance principles within a limited period—and, third, to show that the Essay was not written for gain, but *con amore*, at the inspiration of friendship and truth. The opinions maintained in this 'Argument' were, specifically, promulgated by the Author nearly twenty years ago, in memorials to the magistrates of his own neighborhood, and in a printed address to the magistracy of Britain, published in June, 1839. (§167.) In

passing the Essay through the press, we have added a paragraph here and there, and considerably enlarged the History and Results of the Maine Law. The want of space, at the last moment, excludes what the Author had, in part, prepared—two additional Chapters in Reply to *Objections of Individuals and the Press*—Objections, first, to the Alliance, as regards its methods and policy,—and, second, Objections to the principle and working of Prohibition,—vindicating its claims as the *only* efficient remedy for Intemperance and its consequences. These will shortly appear as a *Sequel* to the Essay, and take up all Criticisms of the Press up to the time of publication.

One word more. A young gentleman of Dundee, said in some lectures 'On America,' whence he had then recently returned—lectures, by the way, that had a disgusting 'odour' of the South about them—that "when listening to the sanguine speeches, and fanciful "predictions, of the advocates of the Maine Law in the "United States, he had often been tempted to reply, in the "words of MARCUS ANDRONICUS, to his kinsman TITUS,

"Oh! brother, speak with *possibilities*,  
"And do not break into these deep extremes."

This juvenile statesman—for the golden key of wealth has since unlocked to him the doors of Parliament—is unmistakably the mental and moral representative of a certain class—a class that will never be impeached for excess of faith or enthusiasm, either in reference to man or God, earth or heaven. *The Parliaments of vested interests*—the palpable Parliament of St Stephens or Washington—the Parliament which represents privilege or pelf, capitalist or slaveholder—the Parliament of class, interest, and party—this young gentleman can understand—but as to anything much better in the future than the past,—as to any potency of Truth or God for eventually realizing

The Parliament of Man—  
The Federation of the World—

why, that is a modern myth, or a midsummer madness!

The Maine Law will, of itself, when faithfully enforced, do but a negative work—it will *suppress the evils of the Traffic*. The positive work of humanity will remain to be done—the seed to be sown—the harvest to be reaped,—but the law aims simply at preparing the way, by draining the swamps and destroying the weeds. That great and glorious possibilities are enclosed within the womb of the Future, is at least *our* faith—and it has been the faith of prophets since the world began. If it is not so—then are Statesmen, with their cares and conflicts, engaged in the most pitiful of ambitions.

The greatest of the moral writers of America, has well apostrophized these material, mediocre minds.

“When will Statesmen learn that there *are* higher powers than political motives, interests, and intrigues? When will they learn that the great moral and religious Ideas which have now seized on men’s souls are the most efficient, durable forces which are acting in the world? *When will they learn that the past and present are not the future?*—but that the changes already wrought in society are only forerunners, signs, and springs of mightier revolutions? Politicians, absorbed in near objects, are prophets only on a small scale. They may foretell the issues of the next election,—though even there they are often baffled; but the breaking out of a deep moral conviction in the mass of men is a mystery which *they* have little skill to interpret ... Principles of a higher order are beginning to operate on Society, and the dawn of these primal everlasting lights is a sure omen of a brighter day. *Politicians, seizing on the narrow, selfish principles of human nature, expect these to last for ever.* They hope, by their own machinery, to determine the movements of the world. But if history teaches any lesson, it is the impotence of Statesmen; and happily this impotence is increasing every day, with the spread of light and moral force among the people. Would politicians study history with more care, they might learn,

even from the dark times which are past, that the course of human events has been more determined, on the whole, by *great principles, by great emotions, by feeling, by enthusiasm*, than by selfish calculations, or by selfish men ... In the grandest epochs of history, what was it which won the victory? What were the mighty, all-prevailing powers? Not political management—not self-interest—not the lower principles of human nature—but the principles of freedom and religion, moral power, moral enthusiasm, and the Divine aspiration of the human soul. Great thoughts and great emotions have a place in human history, and the future is to be more determined by these than the past."

It is not for peddling politicians to put limits to the 'possibilities' of social development, or bounds to the issues of human enthusiasm. The plumb-line of a common mind is too short for the great deeps of Humanity: much less can it traverse the space between the 'extremes' of Providence. The interval between the ancient and the modern Briton would have appeared as impossible an extreme, if predicted, as *our* genial Utopia appears to the frigid genius of the Member for Montrose. What then? The inspiration and enthusiasm which are now directed against the most tremendous enginery of social Obstruction and Calamity which the world has ever known, as it springs from strong and living hearts, will find its echo and response in the common heart of the People. The obstruction *shall* be overthrown—the curse *shall* be removed. So will free play be given to those thousand elevating and benign, but impeded agencies, which 'wait' the advent of our Law for the efficient commencement of their work.

Then comes the statelier EDEN back to men;  
Then reign the world's great bridals, chaste and calm;  
Then springs the crowning race of human kind.

*May these things be!* is at least the Author's fervent prayer.

PRINCIPLES

OF THE

*United Kingdom Alliance for the Suppression of the Liquor Traffic.*

DECLARATION OF GENERAL COUNCIL;

Unanimously adopted at its first aggregate meeting, on the occasion of the inauguration of the movement in Manchester, on the 26th of October 1853:—

I.—That it is neither right nor politic for the State to afford legal protection and sanction to any Traffic or system that tends to increase crime, to waste the national resources, to corrupt the social habits, and to destroy the health and lives of the people.

II.—That the Traffic in Intoxicating Liquors, as common beverages, is inimical to the true interests of individuals, and destructive of the order and welfare of society, and ought therefore to be prohibited.

III.—That the history and results of all past Legislation, in regard to the Liquor Traffic, abundantly prove that it is impossible, satisfactorily, to limit or regulate a system so essentially mischievous in its tendencies.

IV.—That no consideration of private gain or public revenue, can justify the upholding of a system so utterly wrong in principle, suicidal in policy, and disastrous in results, as the Traffic in Intoxicating Liquor.

V.—That the Legislative Prohibition of the Liquor Traffic is perfectly compatible with rational liberty, and with all the claims of justice and legitimate commerce.

VI.—That the Legislative Suppression of the Liquor Traffic would be highly conducive to the development of a progressive civilization.

VII.—That, rising above class, sectarian, or party considerations, all good citizens should combine to procure an enactment, prohibiting the sale of Intoxicating Beverages, as affording most efficient aid in removing the appalling evil of Intemperance.

Signed on behalf of the Council,

WALTER C. TREVILIAN, Bart., President.

Athenaeum, Manchester.

# AN ARGUMENT FOR PROHIBITION.

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## CHAPTER I.

"THAT IT IS NEITHER RIGHT NOR POLITIC FOR THE STATE TO AFFORD LEGAL PROTECTION AND SANCTION TO ANY TRAFFIC OR SYSTEM THAT TENDS TO INCREASE CRIME, TO WASTE THE NATIONAL RESOURCES, TO CORRUPT THE SOCIAL HABITS, AND TO DESTROY THE HEALTH AND LIVES OF THE PEOPLE."

§1. Common-sense would be apt to regard this proposition something in the light of a truism. To prevent such sequences, and afford play for the free development of true liberty, seem to be the express aim and sole justification of Government. The best State would be one in which each and every man did, not only that which was right in his own eyes, but right and best in itself. In the infancy of the world, however, such a state is simply impossible. Ignorance, defect, and, above all, *impulse* fostered by custom, and fed by mistaken laws and systems, combine to contravene this Utopia, and to postpone its realization to the far distant future. A stern necessity commands that the weak, the wise, and the good shall become jurally associated as a State, prohibiting certain actions and restricting others, not simply to preserve the rights and the good that *are*, but as the means of realizing a Social State that is theoretically better. Doubtless, in the development of the Idea of a State, absurd as well as mischievous blunders have been committed. Government,—which we speak of as the organ and executive of the People,—has, at one time, attempted too much, and, at another, too little. Just like the individuals whose aggregate character and intelligence it represented, it has done the things it ought not, and left *undone* the things it ought to have done. Notably it has licensed and legally sanctioned the Traffic in Strong Liquors, which it ought to have prohibited as the fountain of three-fourths of the social corruptions and crimes for the prevention of which all prohibitory statutes are professedly in force. From the records of History—difficult as it may be to extricate a positive, universal principle of law—our negative proposition stands clearly out. The professed object of every combination called SOCIETY, in contradistinction to various forms of Tyranny, has been the *protection* of rights, person, and property, as the essential condition of social progress. This implies, first, the right to *resist* the injurious actions of the selfish or ignorant, and the wilful

aggressions of the wicked ; and, second, the right to *enforce* whatever else is necessary as a means to this end, and to the developing of a true civilization. Under the first head, we may range, not only laws against felony, but against filth; laws against lotteries, betting-houses, and obscene exhibitions ;—under the second head, we may cite the institution of private property in land, the consequent prohibitions of trespass, the laws of marriage, the making of drains, and the compulsory levy of taxation. It must be evident, then, that any State which *licenses* a System tending to crime, improvidence, and disease, not merely lends the prestige and authority of its incorporated virtue to that which is evil, but frustrates the purpose of its own existence—in fine, perpetrates social suicide, and commits a kind of political *felo de se*. St Paul represents the Law as “a terror to evil-doers and a praise to them that do-well”; the Licensed traffic inverts this maxim, so that the Law virtually becomes “a temptation to evil-doing, and a terror and burden to them that do well.”

Theorists of various grades may be found, who will dispute, not only the general conception of Law which we lay down, but the application of an approximate view of the sphere and duties of Government to the subject of the Liquor-traffic. It seems right, therefore, that we should at starting notice, however briefly, some of the theories of Social Law, by way of clearing the path for the consideration of our chief topic—the *actual consequences* of the Traffic itself, and the *practical* remedy for its fruitful evils. We desire to show that the best conception of Government includes the right and the duty of repressing socially injurious TRADES, whenever such trades materially interfere with the social and moral advancement of the community.\*

§ 2. We confess to a strong leaning towards the great practical test or index of BENTHAM, one of the profoundest writers on Jurisprudence to which this country has given birth. ¶ “*The sole object of Government ought to be the greatest happiness of the greatest possible number of the community.*”

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\* Observe, ‘*Trades*’, which implies a public relation, and not simply a private or domestic one. The latter may be beyond the province of Government, but not the former. This difference is acknowledged in every civilized community. Law does not deal with private play in the domestic circle, but with the Trade, the House, and the instruments of Public Gambling. Law makes no inquisition into the pleasures of the licentious man, indulging in obscene pictures upon his parlour wall, or reading immoral books in his private study—but it puts its ban upon the public Trade in such things, declares the public exposure and sale of them to be a nuisance and a crime, and authorizes their public destruction. In all these directions the Law is not seeking to *create public virtue*, but to **PREPVENT PUBLIC CORRUPTION**. The same distinction is claimed by the advocates of a prohibitory Liquor law. They have nothing to do with private vice as such, or with private opinions as to the virtue or the innocence of the actions prohibited, but simply with the *consequences*. If these are costly and corrupting, a wise people will do what is needful to prevent them: will rank the actions themselves amongst the crimes which are ‘*mala quia prohibita*’, and attach penalties to their commission just as much as if they were classed amongst crimes which are ‘*mala in se*’.

"The care of providing for enjoyments ought to be left almost entirely to each individual ; the principal function of government being to protect him from sufferings.

"It fulfils this office by creating rights, which it confers upon individuals : rights of personal security ; rights of protection for honor ; rights of property ; rights of receiving assistance in case of need. To these rights correspond offences of all classes. The law cannot create rights, without creating the corresponding obligations. It cannot create rights and obligations without creating offences. It can neither command nor prohibit, without restraining the liberty of individuals.

"The citizen, therefore, cannot acquire any right without the sacrifice of a part of his liberty. Even under a bad government, there is no proportion between the sacrifice and the acquisition. Governments approach to perfection in proportion as the acquisition is greater and the sacrifice is less.

"Security has many branches : it is necessary that one branch of security should give way to another. For example, Liberty, which is one branch of security, ought to yield to *general security*, since it is not possible to make *any* laws but at the expense of liberty.

"The proposition, although almost self-evident, that every law is contrary to liberty, is not generally recognized. On the contrary, the Zealots of Liberty, more ardent than enlightened, have made a conscience of combating it. And how have they done it ! They speak a language that belongs to no one : they say, *Liberty consists in the power of doing everything which does not hurt another.* But is this the ordinary meaning of this word ? The liberty of doing evil, is *it* not liberty ? If it is not liberty, what is it then ? and what word should we make use of in speaking of it ? Do we not say that liberty should be taken away from fools and wicked persons, because they abuse it ? According to this definition, an officer of justice would not have liberty to punish a thief, unless he was sure such punishment would not hurt such thief !?"\*

The liberty of sale and purchase of strong drink, is not absolute even now. It is limited as to persons, place, and time. But where is the acquisition to compensate for these various actual restrictions ? Is it to be found in the burden of poor-rates, the misery of general demoralization, and the dangers to which we are exposed by the prevalence of crime ? The 'Alliance' asks for the sacrifice of a partial liberty and a mere convenience, in order to realize the grandest national acquisition—for the adoption of *one* effective law which shall dispense with the need of *fifty* other ineffective laws. BENTHAM, who teaches thus wisely that "All government is only a tissue of sacrifices," also teaches that "Punishment is itself an evil, although

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\* Principles of the Civil Code. *Works*, i. p. 301, et seq.

*necessary* for the prevention of a greater evil. Penal justice can only be a train of evils.\*

We readily admit that a prohibitory liquor law would abridge somebody's liberty ; that its pains and penalties would be deemed evil by the law-breaker ; but are we to draw the conclusion that there shall be no law ?† An absurd objection against *all* law, can hold least of all against the proposed law, which, as facts go to prove, would destroy (by reaching the cause) *seventy five per cent of our crime* and the train of evils connected with its punishment—evils in the constraint of the criminal—evils in the pursuit of the accused ere the innocent can be discriminated from the guilty—evils in the infliction of judicial sentences—and evils in the inevitable reactions upon the innocent connections of the criminal, as well as upon society.—Not only are the general principles of law laid down by this great jurist (BENTHAM) in perfect accordance with the views of the 'Alliance,' but even his special details and expressions. For example, under the category of 'Indirect means of Preventing Crime,' he includes "Methods which act either physically or morally upon the man, in order to dispose him to obey the laws—*to remove from him temptations to crime*, and govern him by his inclinations and knowledge.

"*Inclination, Knowledge, Power* ; these are the three points to which the influence of the laws may be applied, in order to determine the conduct of individuals. I begin with power, because the means of influence in this respect are more limited, and more simple, and because in those cases in which the power to injure is taken away, everything is done—success is sure.

"As to *internal* power, which depends upon the faculties of the individual, the power of doing evil is inseparable from the power of doing good. Imprisonment is the only one means which can be justified, in certain cases, in order to prevent an *apprehended* offence.

"There are some cases in which the power of injuring may be taken away, by excluding what Tacitus calls *irritamenta*

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\* Principles of Penal Law. Part iii. *Works*, i. p. 533, et seq.

+ Let us here anticipate the cant cry of 'coercion.' Law itself is not coercive but purely *declarative*—the announcement of a social rule. The coercion is in the 'sanction' of the law, and he who objects to that, logically objects to every law, whether natural or positive, human or divine. A law without a penalty for disobedience, is simply a dead letter. An Anti-liquor Law, therefore, just operates like any other—it declares the *Will* of the Law makers, and furnishes, through its sanctions, motives for obedience. An objection against the wisdom or justice of the law itself is logically legitimate, but an objection to a *special* law founded upon the essential characteristic of *all* law—namely, that it has a coercive 'sanction'—is utter imbecility. The moral law, of which we hear so much by those who advocate moral suasion in opposition to positive law, is a law that announces duties and offences as much as any other—and it has influence *only so far as its 'sanction,' the Divine retribution behind it, is actually believed in.* To say by the judge, *Imprison whoever in due form of law is convicted of stealing*, is as really the announcement of a Moral Law as *Thou shalt not steal*—only it is likely to be more efficacious with the masses, inasmuch as they can realize the Police sanction more distinctly than the spiritual and invisible Nemesis.

*malorum*—[the subjects and suggesters of the offence] : as the prohibition of the sale and fabrication of dies for coining ; of *poisonous drugs* ; of concealed arms ; of dice, and other instruments of prohibited games :” (to which may now be added, the prohibition of lotteries, betting-houses, brothels, immoral books, licentious pictures, and crime-engendering drinks.)

“ Mohamet, not trusting to reason, has sought to put it out of the power of men to misuse strong liquors. If we regard the climate of hot countries, in which wine produces fury rather than stupidity, it will perhaps be found that *its total prohibition is more gentle than its permitted use*, which would have produced numerous offences, and consequently numerous punishments.\*

“ Taxes upon spirituous liquors, in part, accomplish the same end. In proportion as the price is *raised above the reach* of the most numerous class, the means of yielding to intemperance are taken from them. Under this head may be mentioned many English statutes relative to the *sale* of spirituous liquors : *their open exposure to sale is prohibited* ; it is necessary to obtain a licence which costs much, *et cetera*.

“ To the same head must be referred measures for the *destruction* of libels, seditious writings, and obscene figures exhibited in the streets, and for preventing their printing and publication.

“ By a statute of George III., any individual is forbidden to have more than 50 lbs. of gunpowder in his house ; and the dealers in gunpowder are forbidden to have more than 200 lbs. at one time. The reason assigned is the *danger of explosions*. ”

Here a man, carrying out such objections as are urged by the press against a Prohibitory liquor law, might say, “ I am very careful—why do you limit *my* liberty because some careless fellow blows his house up ? Why not wait till the action is done ? ” The answer would be, that we care more for the safety of the many than the convenience of the one—that the condition wanted is not the punishment of another, but the *protection* of ourselves—that the punishment after the act, or involved in it, comes too late to remedy the evil—that so far as it operates, it is in the direction of *preventing* a future calamity of the same kind—and that the past disaster ought to have been prevented by law as much as any apprehended future one. As the only legitimate answer to the claim for protection against the possible danger of explosion would be a proof that such protection must in some other direction largely subtract from human happiness, so in regard to the Liquor Traffic, it must be shown

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\* Alison, in his *History of Europe*, shows that alcohol is equally the parent of crime in cold countries. “ The average amount of crime over all Sweden, equals that of the most depraved cities of Europe.” He adds—“ So deplorably fallacious is the system which, proceeding on the assumption that the people will *of themselves* abstain from such enjoyments as are pernicious, allows them to manufacture, without limit or restraint, this most seducing and dreadful of all physical and moral poisons” (ardent spirit).

that its free operation involves such an amount of rational enjoyment as will *counterbalance* the varied and prodigious social evils with which it is inseparably associated. BENTHAM proceeds to show, next, that as regards *Knowledge*, “the policy which would prevent men from acquiring information, would be more hurtful than advantageous. All other indirect means which can be employed must, therefore, have reference to the direction of their *inclinations*; to the putting in practice the rules of a logic too little understood at present—*the logic of the Will*—a logic which often appears in opposition to the logic of the *Understanding*, as it has been well expressed by the poet—

‘Video meliora,  
Proboque, et deteriora sequor.’

“This contrariety amongst motives often exists only from the unskillfulness of the Legislator—from an opposition which he has himself created between the natural and political sanctions—between the moral and religious sanctions. If he could make all these powers concur towards the same end, all the faculties of the man would be in harmony, and the inclination to injure would no longer exist.\* In those cases in which this object cannot be attained, it is proper that the power of the *tutelary* motives should be made to exceed that of the seductive motives. I shall propose the indirect methods by which the Will may be influenced, in the form of political or moral problems, and I shall show their solution by different examples:—

“PROBLEM I. To divert the course of *Dangerous Desires*. Pernicious desires may arise from three sources:—1st. The malevolent passions; 2nd. *The fondness for inebriating liquors*; 3rd. The love of idleness.

“The methods of diminishing them may be reduced to three heads:—1. The encouraging kindly feeling; 2. The favoring the consumption of *non-inebriating liquors*, in preference to those which intoxicate; 3. The avoidance of forcing men into a state of idleness.

“No one affection of the human heart ought to be eradicated, since there is not one which does not act its part in the system

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\* It can hardly be necessary to point out to the intelligent reader, how the Prohibitory Law proposed by the Alliance would accomplish this. *First*, it would erect the bulwark of Law, the expression of national conscience and will, between the subjects tempted by the Traffic, and the interest of the Traffickers, and by withdrawing all legal licence from the Trade, proclaim its outlawry. *Second*, it would induce such a state of things, as to allow the appetite for drink to die out, or be reduced within such limits that moral suasion and religion might cope with the evil, with at least some chance of success. Thus prohibitory-protective Liquor law, would combine the principles both of direct and indirect legislation:—while combating a pernicious and artificial desire, by prohibitions and punishments directed against the Traffic that fosters it, would at the same time remove the *seductions* which tempt to drinking, and the subjectively *disturbing element* of the drink itself, that occasions degradation, disorder, and crime—in short, as BENTHAM expresses it, would operate “by weakening the seductive motives, which excite to evil, and by fortifying the tutelary motives, which excite to good.”

of utility. *The desire for intoxicating liquors is, properly speaking, the only one which can be extirpated without producing any evil.*

“PROBLEM II. To make such arrangements that *a given Desire* may be satisfied without prejudice, or with the least possible prejudice.†

“That these desires may be satisfied without prejudice—is the first object; but if they cannot be regulated to *this* point, that their satisfaction may not produce *so great an injury to the community* as that which results from a violated law—such is the second object. If even this cannot be attained, to arrange everything in such manner that the individual, placed by his desires between two offences [or modes of action], may be led to choose *the least hurtful*—such is the third object. This last is a species of composition with vice: *a bargain is made with it*, so to speak, and it is sought that the individual may be satisfied at the least possible expense.”

The licence law, and magisterial and police surveillance, are standing illustrations of the facts that the Traffic requires to be regulated—that such regulation has not succeeded in securing exemption from *very great injury* to the nation, in the mode of allowing *restricted public facilities* for the gratifying of the Drinker’s desire—and that it has been nothing less than a composition with the source of vice, and a bargain made by Bad Policy with Selfishness and Sensualism, at the expense of the best interests of the Community, three-fourths of whom do *not* support the Traffic. On the other hand, the Alliance claims, not to dictate what ‘desires,’ good or bad, the citizen shall gratify, but only that the *how* and *where* of the indulgence shall not become the source of grave public injury, or so far as it does so, or tends to do so, shall come under the surveillance of the Law.

Mr CHARLES DICKENS, in an amusing, champagne-y article, objects that the 4,999 sober Job Smiths who *can* conduct themselves properly, ought not to be inconvenienced for the sake of one solitary Drunken Stiggins here and there who *can not*. To which the reply is, that nobody purposes to hinder Job Smith from brewing or drinking his pot of beer—that the law already puts sober Job to ‘inconvenience,’ for some good reason affecting the public safety—than he cannot even now get his drink any-

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† Let it be noted here, that the passion for strong drink, cannot be placed in the category of *natural desires*; nor even be compared with the liability of abuse that attaches to the sale of poisons in general, which nevertheless demand severe restrictions upon their sale that are sometimes inconvenient. Nature, which has implanted no appetite for Alcoholic drink within us, has supplied us with no Alcoholic fruit or fountain without us. The subject of the Traffic, like its agent and instrument, is artificial and peculiar—it is quite unique, *sui generis*—and must, therefore, be tried on its own specific nature, and adjudged, as a matter of fact, by the evidence of its own fruits (¶9). For the sake of argument, however, we will suppose that the desire for the private, limited use of alcoholic liquor, may be gratified “without prejudice to society,” or with so little prejudice as not to demand legal oversight and interference.

where, and at any time—that the Job Smiths are not many but few, and that the Stigginses are not few but many;—in fine, that Mr Dickens's logic proves too much, and his arithmetic too little,—that the gratification which he and his equally sober friends experience in the flavor of Burgundy or Brown Stout, is not to be regarded as a satisfactory set-off against the widespread pauperism, demoralization, and crime traceable to the Traffic for which they plead, and the burdens and pains which its supporters cast upon *millions* who protest against it as a nuisance and a curse. In the name of reason, and for the sake of humanity (not of the drunkard), these invoke the sovereignty of the Law to prevent the *Sale* of Strong drink *under such conditions as actually lead* to the multiplication of pauperized, brutal, and dangerous Stigginses, and thereby imperil the high purposes and security of social life.

“PROBLEM III. To prohibit *Accessory Offences*, in order to prevent their *Principals*.—Those acts which have a connexion with a pernicious event, as its cause [or part of it], may be considered as *accessory* offences in relation to the *principal* offence.

“The following are examples of what may be done under the head of Police.—Prohibition of purely offensive arms, which are easily hidden. Prohibition of the sale of poisons requires that a catalogue be made of poisonous substances; the sale of them cannot, however, be altogether forbidden;\* it can only be regulated and subjected to precautions requiring that the seller should know the purchaser, that he should have witnesses of the sale [and of its alleged use], that he should register the sale in a separate book, etc.”

Now, it may be observed that the Law of Maine does no more in reference to strong drink. It is not an absolute prohibition, but a regulated sale, for *specified* purposes—and, we presume, none save a petrified theorist would object to all legislation of this type. It does not regard the *Public-house* as the evil, but it regards the Traffic and the Traficker as *accessories* to the excitement, disorder, and crime—effects whereof other citizens justly complain.

§ 3. In the United States of America an extreme doctrine has been developed by STEPHEN PEARL ANDREWS, in a work, entitled ‘The True Constitution of Government.’ It is announced as “The *Sovereignty of the Individual*, to be exercised at his *own cost*.” He adds—“The term ‘cost’ is elected as a scientific

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\* “*Every active medicine, taken in a certain dose, is a Poison.*”—BENTHAM's note. It is a fact, that in the Catalogue of Poisons in the works of Toxicologists (see Orfila, Dunghison, Taylor, and Christison), *ALCOHOL* takes its place amongst those of the *narcotico-acrid* class, in company with digitalis, camphor, strychnine, etc. It is perfectly true that drinkers and dealers have no intention of killing either themselves or their neighbours with alcoholic liquor—that they only drink for pleasure, and deal for profit—but the *actual consequences*, undenied and undeniable, are a thousand times more dreadful than those following the sale of all other poisons put together.

technicality for disagreeable consequences, endurance, or burden of all sorts." Now, practically, the State is the union of Individualities for the realizing of what is deemed needful for the avoidance of such 'costs'—and the collective judgment of a community is more to be consulted, as its happiness is more to be regarded, than that of any one, or any fraction of them. Society cannot wait upon the conceit or the conviction of its last member: and all the vague declamation one hears or reads about 'Liberty' and 'inalienable natural rights,' may be translated into this modest request—"Your laws shall become *ipso facto* void, so often as they contain anything not to my mind. You order 'money to be paid on the score of taxation, but I don't 'acknowledge your authority. I repudiate 'coercion,' and I 'disapprove of the mode of expenditure—*therefore*, I shall assert 'my 'liberty' of not paying. You order me not to 'trespass' in 'that corn field and yonder garden, but I have by nature an 'absolute freedom of locomotion in every direction on the 'surface; I refuse to recognize your right to fence off that field, 'or wall in that garden; and I will, *therefore*, vindicate my 'liberty,' by walking through the corn and the cauliflowers." Such social logic is more properly refuted by a straight-jacket than by strict argument. If the theory of 'the Sovereignty of the Individual,' however, does not signify this—which is a denial of *all* government—then it ends in a compromise between Conviction and Interest. Those who adopt the former dilemma, as some opponents of the Maine Law *have* done, are not specially concerned with our proposition—since they have entered into a crusade against Stato Governments universally and *in toto*—while those who, like our author, take their stand upon the necessity of Government, are obliged to append a sequel to the Sovereignty, which virtually transfers the Power of Prohibition to the *People*.

"The limitation is this: Every individual is the rightful sovereign over his own conduct in all things, whenever, and *just so far as*, the consequences of his conduct can be assumed by himself."—p. 63.

"Whoever has to bear the cost, should have the deciding power in every case."—p. 64.

"Wherever such circumstances exist that a person cannot exercise his own Individuality and Sovereignty without throwing the cost or burden of his actions upon others, the principle has so far to be compromised."—p. 64.

Even from this ultra theory we may clearly deduce the right and duty of State interference with a Traffic or System such as our argument supposes. As BENTHAM remarks, "upon the principle of utility, such acts alone *ought* to be made offences, as the good of the community requires should be made so. The good of the community cannot require that any act should be made an offence, which is not liable, *in some way or other*, to be

detrimental to the community. For in the case of such an act, all punishment is groundless." \* Again: "The tendency of an act is mischievous *when the consequences of it are mischievous*—that is to say, either the *certain* consequences or the *probable*. This mischief may be frequently distinguished into two shares—the 'primary,' which is sustained by an assignable individual, or multitude—the 'secondary,' which, taking its origin from the former, extends itself either over the whole community, or over some other multitude of unassignable individuals. The secondary mischief, again, may frequently be seen to consist of two other shares—the first consisting of *pain*, the other of *danger*. A pain grounded on the apprehension of suffering such mischiefs may be styled the *alarm*. The danger is the *chance*, whatever it may be, which the multitude may stand exposed to, of suffering such mischiefs or inconveniences" [*insecurity*]. † This great jurist, after a threefold division of mischief, according to its 'nature,' its 'cause,' and its 'object,' says:—

"With regard to its cause, mischief may be produced either by one *single* action, or not without the *concurrence* of other actions—either of the same person, or of other persons—acts either of the same kind, or of other kinds. When the object of the mischief is the author himself, it may be styled *self-regarding*: when any other party is the object, *extra-regarding*."

It does not matter one straw, then, how many, or what agencies or agents, are involved in a system, or co-operate to the issue, *if that issue be seriously detrimental to the public peace and security*. If it impose a burden upon the capacities, or interfere with the welfare of the community, or any considerable part of it, Right and Reason will demand its destruction. The mischief may be various as its causes, and diversified as its machinery; but if it be profitably *preventible* mischief, it *ought* to be prevented, and therefore, by a wise and patriotic people, *will* be prevented. It may be a simple case of breach of quarantine; or of open-drain engendering pestilence; or of a chemical work, the fumes from which, by natural propagation and physical action, blast my fruit or forest trees, or impair the health of my cattle;—or it may be an agency of a social or moral nature, operating more indirectly and under greater complications, so that the *tendency* is seen more clearly than the specific results are traceable, such as a College for Teaching Theft, like those known to the ancient Egyptians, whose head was 'licensed'; or like the secret society of the Decoits or Thugs of India, with whom robbery and murder take rank both as a Fine Art and ferocious religion;—or it may be a 'Domestic Institution' in some Federated States, where the soul of the Serf is robbed of knowledge, and its intellectual eyes systematically put out, while the limbs attached to the white

\* *Principles of Morals and Legislation*, ch. xvii. *WORKS*, i. p. 96.

† *Ibid*. ch. xii. p. 69, et seq.

brain of the black body are exercised at the will of another man ;—or it may be a polluting print, or an obscene figure, exhibited in a shop-window ; or a fashionable ‘Valhalla’; or some vulgar ‘stew’, offending modesty and flouting decency ; or a varnished ‘Flash-house,’ more respectable and more dangerous, with its traps for youth and innocence; or a ‘lottery scheme,’ or Crockford’s ‘Hell’ ; or a Betting-house ;—or it may be a village Beer-shop, tainted with tobacco and impurity, or a town’s Tavern, with its demoralization and disorder ; or a temple erected to mighty Gin, ‘vitriol gin’ or genuine gin, no matter—with its open jaws of destruction, flaring with gas and reeking with sin and ruin. These are but *variations* in the working of Mischief—the diversified modes in which Selfishness and Venality sacrifice to Comus and to Mammon, the hopes and the happiness of a human world. It is not with the methods, the machinery, the motives, not even with the prejudices or the sincere opinions, of those who feed and foster these systems, that Law has directly to do :—it is with the *FACT*—the *cost* and the *consequences*. If these are burdensome and baneful, then, provided we have the power, we have most assuredly the *right* of abolition.

§ 4. Some recent English writers on ‘Social Statics’ deny to the State all true organic power, and represent its function as that of a clumsy kind of Policeman, whose business is to see that B does not pick P’s pocket, and that P, in turn, does not box B’s ears !—a notion that would leave unsettled the most practically important problems of politics—or rather ignore them—as, for example, laws creating public and private property, the very corner-stone of civilization, and laws establishing marriage or decreeing taxation.\* Of the larger exposition of these views little need be said : we regard it as a perfect *reductio ad absurdum*. A theory which starts from the position that man is a predatory animal rather than a social being—that asserts the equality of rights between men and children—that proclaims the liberty of individuals to renounce the state at will, and of course refuse to contribute to its taxes—(thus making the *existence* of a state to depend on the whim or wisdom of the last man who is asked to

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\* “A man omits paying his share to a public tax. Is this, then, to be placed upon the list of mischievous acts? Yes; certainly. Upon what grounds? It is certain, that if, all of a sudden, the payment of all taxes was to cease, there would no longer anything effectual be done, either for the maintenance of justice, or for the defence of the community; that, therefore, the weak would presently be oppressed and injured in all manner of ways, by the strong at home, and both together overwhelmed by oppressors from abroad. It is manifest, that though the mischief is remote and contingent, though in its first appearance it consists of nothing more than the interception of a benefit, and though the individuals in whose favor that benefit would have been reduced into the explicit form of pleasure or security, are altogether unassignable, yet the *mischievous tendency* of the act is not the less indisputable. The mischief in point of intensity and duration is, indeed, unknown: it is uncertain, it is remote. But in point of *extent* it is immense; and in point of *fecundity*, pregnant to a degree that baffles calculation.”—BENTHAM, chapter last cited. The reader will be able to institute the comparison between such an offence as this and the traffic: and to make the application.

join it ; for the *allowance* of such a privilege would end in a speedy dissolution of government, leaving only a Joint Stock Company or Lynch-law behind),—a theory which finishes with enunciating the rights and ethics of Perfect men and Paradise, instead of the practical duties incumbent upon us in this work-a-day world of imperfection and sin—is a theory very sufficiently refuted in its premisses by the absurdity of its conclusions. For our part, we have no respect whatever for power, for *whim* or *will*, save so far as they are animated by wisdom and glorified by goodness. We cannot worship mere demonism, neither can we allow it to dictate the terms of social life. Will and Liberty, both in the one and the many, exist only for a higher end ; are channels of use, not *ends* of being. They are means of moral elevation, and in this actual world require social checks, as well as social impulses, for the sake of those higher ends. It is not mere exercise of faculties that we live for, but for such a development of them as harmonizes with the true hierarchy of human powers ; not the development of self-will, but the frequent denial of impulsive will for moral will ; not the education of moral will by one's own acts exclusively, but by social acts also—by the sacred symbols of Law, by the virtue of social Habit, and by the purity of social Circumstance. '*Lead us not into Temptation*' is no less a natural than a Christian rule—indicates no less the duty of the state than the wisdom of the man. Thus prohibitory laws against public lotteries, gambling-houses, brothels, and similar seductions and temptations to vice and crime, are based not merely upon the fact of the objective influence of such things for harm, but upon the fact of their incompatibility with the prime purposes of social existence,—are, in brief, the political reflex of the Lord's Prayer.

§ 5. WILHELM VON HUMBOLDT lays down the following principles, under the head of 'Police Laws':—

"The right of nature, when applied to social life, condemns all actions in which one man encroaches on the due province of another, and hence, includes all those cases in which the injury strictly arises from a blameable oversight, or *where it is always associated with the action, or with such a degree of probability in the consequence*, that the agent either perceives it, or becomes accountable by overlooking it. But that the State should rest here seems justly questionable ; *especially when we consider the importance of the injury to be apprehended*, and the possibility of rendering the restriction imposed on freedom only moderately hurtful to the citizen. In such a case it is clear that the right is undeniable on the part of the State."

Why should not this hold good against the Traffic ? It is *always* associated as a trade with injury to others—there is a *certainty* in the consequences, as the Traffickers themselves admit; and the *extent* of the evil accruing is absolutely unparalleled by any other noxious agency operating in the nation.

To illustrate, once more, from BENTHAM. "The only mischief, of any considerable amount, which can be made to impend indiscriminately over the whole number of members in the community, is that *complex kind of mischief* which results from WAR, and is produced by the instrumentality of certain adversaries: by their being *invited* or *encouraged* to invasion. In this way may a MAN very well bring down a mischief, and that a very heavy one, upon the whole community in general, *and that without taking a part in any of the injuries which came in consequence to be offered to particular individuals.*"\* For the word 'War,' put 'Traffic in Strong Liquors,' and for 'adversaries' put 'citizens': and how stands the case? War will not then appear as the only grave mischief which may be done to an entire community. Citizens at home may become as truly the instruments of invading rights, destroying property, and creating insecurity and alarm, as foreign enemies—just as Civil War is no less an evil than Invasion. The party that introduced the Beer-shop Act—a measure of good intentions but fearful issues—invited and *encouraged* the operation of a system that has brought upon England "more complex mischiefs" than many wars:—the politicians who uphold the Traffic, one and indivisible, "though without taking a part in any one of the injuries" resulting, we arraign at the bar of history as amongst the greatest enemies of their country.

The *Westminster Review* for October, 1854, reviewing Humboldt's book, notwithstanding a strong prejudice against the legislation we defend, concedes sufficient for its justification. The reviewer thus writes of 'Force':—

"It can *only* guard the arena in which *improving influences* may operate."—p. 492.

How 'guard'? Can it not, at the behest of wisdom, prohibit the entrance of mischievous beasts into the field? Can it not also harrow up and burn the noxious weeds that choke the soil, and rob the precious grain and roots of their due nourishment? Can it not quite as easily drive out cattle now within the social arena, as keep out those already beyond the pale? If 'guard' means this, it means all we want—if it does not mean this, then the reviewer unduly limits its potency and virtue.

"It is the thorny fence, but neither the plough nor the seed; "and it stifles the crop wherever it is suffered to *usurp* the field."—p. 492.

A mingled web of fact and fiction—of admitted truism and deceptive figure. Force *is* the thorny fence—and something more. Why it should not also be the plough and the ploughman we cannot discern. Both are instruments of force—servants of a presiding Master—and so is legal Force. Liberty to plough and cast seed into the social furrows is not denied, but asserted, by a Maine-law. It is the Traffic which *usurps* the field, and

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\* *Works*, i. p. 101.

fills it with noxious weeds. It is the Traffic which *floods* the land with poisoned water, and kills the seed of good. The Traffic is an artificial *usurpation*, hindering the development of the true natural powers of the soil, and we call in force to perform its appropriate function—to shut out the flood, and to uproot the rank weeds, so that the crop may be no longer stifled.

Moreover, the metaphor of the reviewer has no application. Who proposes that Force shall *usurp* the field of government? 'Force' is the element behind Law;—and, therefore, in the nature of things, cannot *be* law. But who advocates government without Law? The reviewer drivels in his dialectic, and fights impossible phantoms of his own brain.

"The use of force is itself an evil; it can *only* be justified "where opposing force would work wrong."—p. 492.

We *deny* the limitation: law, and the force that *sustains* law, are quite as justifiable in preventing future *seduction* and *fraud*, by punishing past offences of that nature, as in parrying a bludgeon or imprisoning a brute. Physical force is the instrument of Moral force, and not an evil, unless evilly employed. The evil is in the man who *necessitates* its exercise; just as the evil is in the *morbid condition* of the patient who swallows the pill, and not in the purge which the physician prescribes. Good and evil are terms of relation. *Physic* as *physic*, removing or helping nature to remove disease, is, relative to its end, *good*—*physic* is only bad when we mistake it for food. So Force, regarded as the purge for social disorder, and as the instrument of a wise Law, is *good* for ameliorating crime; and no one recommends a resort to Force when it is not needed. The Riot Act is not even read where there is no riot.

"Rights are the consequence of the *natural* relation of the "parties concerned. Government is a contrivance for the "defence of those rights, *and nothing more*."—p. 495.

Government is no more a mere 'Contrivance' than is Conscience, or the subordination of the Family; and neither mere 'defence' nor the defence of mere '*natural rights*' completes its function. Rights are the consequence of *all* relations of life necessary to human happiness—that is, of all *proper* relations. If the ambiguous word '*natural*' means suitable or proper, we are at one with the reviewer—if it means only such relations as exist in '*a state of nature*,' where Society has been displaced by savagery, then we deny, once more, the limitation.

Government is for the defence of *all* rights, whether natural or civil; and comprises everything necessary to a just and efficient defence of them. It comprehends Instruction—whether through Parliamentary discussion, the promulgation of Laws, Judicial decisions, or the common Schoolmaster. Government *must* teach—even if it be only so far as to announce its own decrees. Government *must* discipline—if it be only its crimi-

nals, or expect its subjects to be plundered again. Government *must* educate—for acts of punishment and discipline are true educational influences ; and the Society which has a right to teach by facts has an equal right to do so by formulas. Government *must* feed and clothe, as well as train and educate, its juvenile delinquents and its pauper orphans, or become *particeps criminis* in the harvest of crime that will inevitably follow the neglect to do so. Government *must*, not only resist wrong, but do many things necessary to *prevent* wrong. Even in the process of protecting natural rights, it actually *creates* others. The right to the fruits of labor has for its sequel and guarantee the institution of private property in land. No single individual has a title to any special piece of earth, of wood, or water, before Society *confers* it,—for such things are proverbially ‘common’.\* I cannot claim a title to this oak, or that quarry, without the consent and decree of my coheirs to this common inheritance of earth. Yet such a right is essential to security—to the fullest development of man’s nature—to the real fruition and enjoyment of his faculties and his life—and, therefore, the Social State is supremely a true ‘natural’ State, deserving of all honor and obedience,—*not* a mere ‘Policeman’ and ‘Contrivance,’ but a natural growth from the seed of Humanity, an *organism*—including a Legislature and a Judicatory, as well as an Executive, whose combined duty is to initiate and to enforce *all* that is needful for protection and free development *in actual circumstances*.†

Dr ARNOLD’s view of a state seems to us much more just than that of the Westminster reviewer.

“A Nation is a Sovereign Society, and it is something monstrous that the ultimate power in human life should be destitute of a sense of right and wrong ; for there being a right and a wrong in almost all our actions, the Power which can command or forbid

\* “ All I want to show,” says Dr ARNOLD, in his admirable Introductory Lectures on History, “ is the right to property at all ; that is, that some have a greater right to the possession of a thing than others ; for if this be once allowed, we need not talk any longer about a State of Nature, as it is foolishly called ; we have done with Beast’s nature, and are living according to Man’s nature—that is, according to *Law and Right*, not according to Brutality and Might. It is Law and Right which say, that although Northumberland has plenty of coal, and Kent has none, yet that the men of Kent must either persuade the Northumbrians by fair means to let them have their Coal, or they must go without it ;—or again, which say, that although the soil of Bagshot Heath is very poor, and that round about Farnham is very rich, yet that the parishes on Bagshot Heath may not touch the Hops of Farnham without the owners’ leave ; or again, to come down a step lower, it is the self same *Law and Right* which will not let the man who has no land eat the corn of his neighbor that has land, unless he can persuade his neighbor, either for love or money, to let him have a share of it.”

† Mistakes no more affect the Sovereignty of the State, than the same fact of fallibility touches the rights of the Individual. The cry of *Over-Legislation* is a silly one, for the thing intended must be *Mis-Legislation*. The activity of a state, if it be a wise activity, is no more objectionable than the activity of an Individual. Indolence is a virtue in neither. It is not necessarily *less* Legislation that we want, but *wiser*—a legislation that touches the Causes of Crime, instead of tampering with mere effects.

these actions without an appeal to any human tribunal higher than itself, must surely have a sense, not only of the wrong of this action forbidden, but of the comparative value of different ends; lest perchance, while commanding what is in itself good, it may command it at a time, or in a degree, to interfere with some higher good; and then it is in fact commanding evil. That the power is thus extensive and sovereign seems admitted, not only historically, but also by our common sense and language. And who does not see that the Police and the Army are not Sovereign Societies—that because they are not cognizant of Moral ends, therefore they are incapable of *directing* men's conduct in the last resort—that they are themselves [not the government, but] subject to a higher power [Law],—the representative of a National Life.

"A nation's inner life consists in its action upon and within itself. Now, in order to the perfecting of itself, *it must follow certain principles, and acquire certain habits*; in other words, *it must have its Laws and Institutions adapted to its great end*. On these the characters of its people so mainly depend, that if these be faulty, the whole inner life is corrupted; if these be good, it is likely to go on healthfully."

It has been too much the fashion, in certain quarters, to depreciate Law, and to speak of it misleadingly as the Logic of the Stick. Such representations are unpardonable in any one pretending to philosophic culture. Law is the logic of social life—the development of national experience. Law has a potency in moulding the plastic population, which is even more important than its penal function: and it is preventive as well as corrective. Law is the first and last wisdom of History. A tribe, by its means, grows into a Nation—develops agriculture, commerce, art, and science—*organizes* itself into a permanent and beneficial power—makes anarchy and revolution impossible.

"And Sovereign Law, that States' collected Will,  
"Sits Empress, crowning good, repressing ill."\*

In the fine language of HOOKE, "Of Law nothing less than this may be acknowledged, that her seat is the bosom of God, her voice the harmony of the world,—all things in heaven and earth do her homage,—the very least as feeling her Care, the greatest as not exempted from her Power."†

We will follow the writer of the Westminster into one of his particular illustrations, and then close this discussion of principles.

"May a man *rightly* carry a ton of gunpowder through the streets  
"on a wagon, in open day? If not, may not the reasons for which  
"you stop him, apply just as well to the *prevention of other evils*,  
"as to those to be *apprehended* from the explosion of this gun-  
"powder?"—p. 503.

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\* SIR WILLIAM JONES.      + *Ecclesiastical Polity*. Ed of Foo'ki.

We stop to remark that it will make no difference whether other evils are exactly like this apprehended one, in their causes or their remedies. *Each* social evil must be tried on its own demerits, and met by its appropriate antidote—that is, by one that is the most *efficient* in the first place, and the most *economical* in the second. The ‘*reason*’ for its removal at all, is not its species, but its *genus*: not that it operates in this way or that—by slow poison or by sudden explosion—but because it operates *evilly*.

“There are three or four distinct characteristics of the case which clearly bring it within the powers of government.

“1st. An explosion would violate the equal enjoyment of their rights by others, and that without the possibility of remedy.

“2nd. To take the route through London *can* be prevented by force.

“3rd. The prohibition affects nobody beyond the person to whom it is addressed.\*

“4th. It affects him *only in that one act*, and restrains his activity in no other respect.”

These admissions are amply sufficient for us, though more might be extorted. They allow scope and verge enough for including amongst actions justly prohibitable by law, a Traffic that does not simply expose a few individuals to *risk* of injury, now and again, but which, in truth, is perpetually exploding in tumult, riot, and debauchery—in disorder, disease, and bloody death—a Traffic which blasts the beauty and innocence of youth, corrupts the purity of woman, and strikes down the hopes of age,—which prostrates manhood, paralyzes industry, and spreads disaster, confusion, and crime over the fair face of our beloved country.

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\* It is neither the duty of Society nor of the Publicans—save upon contract—to brew and provide beer for anybody. The prohibitive law, therefore, affects nobody’s *rights*, and affects even the publican’s action only in *one* direction—the brewing for public sale. The law in Scotland prevents equally the opening of bread and of whisky shops on the Sunday. It is just as easy—nay, more so—to abolish the traffic in gin on the last as on the first day of the week. The Traffic, then, 1st, exposes vast numbers to the worst dangers. At Birdwell, the other day, a man made mad through its agency, dashed through the village with a hedging-bill in his hand, striking and maiming all he met. At Rochdale, an engineer, made incapable by the Traffic, occasioned a boiler explosion, which killed or wounded a score of innocent persons. At the same place, a publican, made morbid with drinking his own drink, splits his wife’s skull, attempts to kill his customers and his children, and finishes by poisoning himself. 2nd. The Traffic *can* be prevented by force of Law—for in many parts it *has* been. 3rd. The prohibition affects nobody for evil. 4th. It affects the persons addressed only in one act; and leaves the drinker to provide in *another way* that which he wants.

## CHAPTER II.

“THAT THE TRAFFIC IN INTOXICATING LIQUORS, AS COMMON BEVERAGES, IS INIMICAL TO THE TRUE INTERESTS OF INDIVIDUALS, AND DESTRUCTIVE OF THE ORDER AND WELFARE OF SOCIETY, AND OUGHT, THEREFORE, TO BE PROHIBITED.”

§ 6. In harmony with the Principles of Government already considered and determined, the relation between the Individual and the State—and therefore the true interests of both—may be thus expressed :—

“The Individual demands (that is, claims as right) that his jural-relationship to others shall be maintained inviolate by the State—and the State demands, in return, that the Individual shall not disturb or endanger the jural-relations of others.”

The unit of Society, as such, is exposed to injury, to the disturbance of his just relations; hence the units *combine* to obtain Protection and to ensure Safety. Experience proves that association secures what is generally impossible to insulation—and that fixed principles and organic law enable us to do much better that which *must* be done, than mere Individual force moved by personal interest or exaggerating passion. *Protection*, not in the narrow sense of ‘defence,’ or momentary prevention of physical injury—but ‘Protection’ in its wider and truer signification, is the object of the State—the granting and securing to each and all what is due to humanity. When applied to real facts, this will be found to embrace the elements of our proposition :—

I. *Individual Security*, involving protection against injury of body, character, and property—the making certain that which, in a state of anarchy or barbarism, is uncertain—since uncertainty in rights is insecurity.

II. *Social Security*, or the protection of Society *as Society*: whence treason or anarchy, or anything which subverts the foundation of Society, is to be regarded as crime, just as really and truly as a disturbance of the universal or primitive relations.

III. *Social Development*, so that each constituent element of the body politic may attain the great ends of humanity—those ends which are only to be reached by combination—and which, therefore, constitutes the first of all rights and necessities.

Now, we think it can be demonstrated that the Traffic in strong drink directly contravenes all these conditions and duties of a State—and does so to *an extent* far exceeding all other agencies combined. The Traffic, therefore, which is already subjected to various restrictions, and in different countries and ages has been proscribed, ought to be totally prohibited by a wise Statesmanship amongst ourselves.

§ 7. From this formal statement and proof of our proposition we proceed to general illustrations.

In 1834, the Parliament of Great Britain, in its Report on Drunkenness, founded on an elaborate examination of witnesses from the three kingdoms, made the following declaration :—

"The *consequences* of the vice of intoxication\* are so many and so fearful that it is difficult to enumerate even the outlines of them; and to pursue them in all their melancholy details would require a volume. The following are only a few of the evils *directly* springing from this baneful source :—

"*Consequences to Individuals.*—Destruction to health—disease in every form and shape—premature decrepitude in the old—stunted growth and general debility and decay in the young—loss of life by paroxysms, apoplexies, drownings, burnings, and accidents of various kinds—delirium tremens, paralysis, idiocy, madness, and violent death; destruction of mental capacity and vigor, and extinction of aptitude for learning, as well as desire for practising any useful art or industrious occupation. Irritation of all the worst passions of the heart—hatred, anger, revenge—with a brutalization of disposition that breaks asunder and destroys the most endearing bonds of nature and society. Extinction of all moral and religious principle, disregard of truth, indifference to education,—violation of chastity,—insensibility to shame, and indescribable degradation.

"*Consequences to National Welfare.*—The *DESTRUCTION OF GRAIN*, given by a bountiful Providence for the food of man, which is now converted by distillation into a poison; the highest medical authorities examined before your committee being uniform in their testimony that ardent spirits are absolutely poisonous to the human constitution—so that not only is an immense amount of human food destroyed, whilst thousands are inadequately fed, but this food is destroyed in such a manner as to injure greatly the agricultural producers themselves, for whose grain, but for this perverted use of it, there would be more than twice the present demand.—The *Loss of PRODUCTIVE LABOR* in every department of occupation, to the extent of at least *one day in six* throughout the kingdom, as testified by witnesses engaged in various manufacturing occupations; by which the wealth of the country is retarded or suppressed to the extent of one million out of every six that is produced, to say nothing of the constant derangement, imperfection, and destruction in every [industrial] process, occasioned by the intemperance, and consequent unskillfulness, inattention, and neglect of those affected by intoxication, producing great injury in our domestic and foreign trade.—The extensive *Loss of PROPERTY* by Sea, from shipwrecks, foundering, fires, and innumerable other accidents, which, according to the evidence of the most experienced shipowners and nautical men, are clearly traceable to drunkenness.—The

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\* We shall show, further on, that the *Traffic* is the National *fountain* of this intoxication. The Chairman of the Committee was the late JAMES SILK BUCKINGHAM, then M.P. for Sheffield, to whose intelligent and life-long labors in the cause of Temperance and Freedom the world is very largely indebted.

comparative INEFFICIENCY OF THE NAVY AND ARMY, in each of which intemperance is [as] a canker-worm that eats away its strength and its discipline to the very core; it being proved that one-sixth of the effective strength of the Navy, and *a much greater proportion of the Army*, is as much destroyed by that most powerful ally of death, intoxicating drinks, as if the men were slain in battle; and that the greatest number of accidents, seven-eighths of the sickness, invalidings, and discharges for incapacity, and nine-tenths of all the acts of insubordination, and the fearful punishments and executions to which these give rise, are to be ascribed to drunkenness alone.—The INCREASE OF PAUPERISM, in its most fearful shape, divested of that sense of shame which would disdain to receive relief whilst honest industry could secure the humblest independence, and associated with a recklessness of all obligations, domestic or social, which, according to the evidence of witnesses from the agricultural districts, has converted the pauper from a grateful receiver of aid under unavoidable calamity, to an idle and disorderly clamorer for the right of being sustained by the industry of others, or a profligate and licentious parent of illegitimate offspring.—The SPREAD OF CRIME in every shape and form, from theft, fraud, and prostitution in the young, to burnings, robberies, and more hardened offences in the old; by which the gaols and prisons, the hulks and convict transports, are filled with inmates, and an enormous mass of human beings are transformed into excrescences of corruption and weakness [in the body politic, and constituting our troublesome and 'dangerous classes'].—The RETARDATION OF ALL IMPROVEMENT, inventive or industrial, civil or political, moral or religious.—That the mere pecuniary loss to the nation, from the several causes already enumerated, may be fairly estimated at little short of fifty millions of pounds sterling per annum."

It must be evident, therefore, that a system engendering such varied 'consequences' and 'costs' is deeply and distinctly inimical to the real interests of Individuals and of the State, endangering the rights of the one, and rendering impossible the aims and purposes of the other. Twenty years have passed since this deliberate conviction was enrolled upon the records of the British Parliament, and yet we shall find in the sequel, that notwithstanding 'the march of improvement,' the progress of education, the spread of knowledge, and, above all, the specific efforts to combat this vice of Intemperance, and remove or diminish such of its agencies as mere moral appeal can cope with, *every word of that Report remains literally true*. The explanation of the fact is simply this: *The Traffic has extended its machinery of mischief, and its net-work of seduction, contemporaneously with these efforts; and it is of the nature of narcotic stimulants to generate a tendency to excess, by increasing appetite and lessening moral control.*

§ 8. Foreign nations, and those blessed with almost universal education, both moral and religious, have instituted Legislative Inquiries as to the causes, extent, and consequences of Intemperance amongst themselves,—as the Americans and the Swedes,—and have reached conclusions very similar to our own. The 'Report of the Select-Committee of the New York Senate' on the Prohibitory Bill of 1853, thus expresses the facts as they yet exist in the United States of America, after the persistent

efforts, for a quarter of a century, of the friends of true Temperance :—

“ They would respectfully report, that they concur with the Governor in his message, that the constitution invests the Legislature with the power, and imposes upon them the duty, of adopting measures to promote education, to restrain vice, to punish crime, to protect the rights of persons and property, and to advance the welfare of this great commonwealth, composed of more than three millions of citizens.

“ The committee have felt deeply impressed with the weight of responsibility resting upon them, and, *after a careful examination of the whole subject*, are clearly of the opinion that the sale of intoxicating liquors, as a beverage, *retards education and encourages vice; that it tramples upon the rights of persons and property to a criminal extent*; and that it is the duty of this Legislature to pass a Prohibitory law, as the only means left to remove the evils complained of.

“ Your committee are of opinion that the sale of intoxicating drinks is the direct occasion of *more pauperism, crime, debauchery, and frightful casualties*, than all other things combined.

“ Your committee are of opinion that such liquor is a *Poison*, and should be so declared and treated, *producing a species of insanity which deadens the powers and inflames the passions, causing the unprovoked commission of crimes on the innocent and unoffending, of an enormity unparalleled in the civilized world*; crimes that even barbarians would shudder at, and humanity in its worst forms could not commit, unaided by the demon that is ever present in the drunkard’s cup.

“ Your committee are of opinion that this poison causes a reckless disregard of property in those who use it; *that it is the agent in the destruction of more property by fire, shipwrecks, railroad disasters, and bankruptcies, than all other agencies put together*. This bill proposes to save from thirty to fifty thousand drunkards now in our State, their wives and children, from the awful fate to which the liquor trade has doomed them, and to break the charm *by removing the temptation from thirty to fifty thousand more of our fellow-citizens who are moving on surely to fill the drunkard’s ranks, many of whom are most earnest in their calls upon the Legislature to stop a traffic accursed of God and all good men.*

“ Pass this law, and your committee are of opinion that *it will put an end to three-fourths of all the crimes against persons and property now committed*. The testimony of the wardens of our prisons uniformly affirm that at least nine-tenths of the criminals confined are brought there on account of the use of intoxicating drinks.

“ Your committee do not propose to recommend further taxes upon the good people of this State in enlarging and multiplying their prisons, erecting gibbets, and inventing new forms of torture, to deter the wretched victims of alcohol from the commission of crimes; but by a simple and easy process to relieve the State of heavy taxes, and save society from crimes, by prohibiting the sale of this poison as a beverage.”

At the February term, 1856, of the Court of General Sessions, New York, Judge CAPRON charged the Grand Jury :—

“ I will state that during the month of January last, 368 persons were

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\* Flourens, and other toxicologists, have long ago established, by experiment, that *Alcohol is a Brain Poison*, and one that specially excites and disturbs the cerebellum. This is the true key to the Social Facts. (See our *History of Alcohol*, § 50, 1846: and Prof. Youman’s *Scientific Basis of Prohibition*; 1856.) Dr Alfred Taylor, in his evidence on the Rugeley Poisoning cases, twice deliberately asserts that Walter Palmer was ‘Poisoned with Gin.’ What more could be said of arsenic?

arraigned for trial in this Court and the Court of Special Sessions. Of this number, 166 were convicted and sentenced, 182 were convicted, but the sentences were suspended for various causes, and 20 were acquitted. Fifty-one of the convicts sentenced were between the ages of ten and twenty years, and a very large majority of those in whose cases sentence was suspended were minors, and about 100 were under the age of sixteen years! The crimes for which these persons were arraigned comprehended almost the whole catalogue, from petit larceny up to murder. Among the whole number, 102 were confirmed inebriates, and *every one was more or less intoxicated when the act was committed for which the complaint was made*, though sixty-two professed temperate habits. But it was a shallow pretence; their appearance belied the averment. Other very significant characteristics distinguish these cases. Nearly all of them originated *in the night*, a large proportion of them *after midnight*, and the scenes of the catastrophes were laid *in fashionable drinking saloons, and tippling houses of less repute*. Brothels were not unrepresented in this long and mournful catalogue of our doomed fellow-men. About five thousand other cases of a police character have been adjudicated in the four Police Courts of this City, in the same time!"

For the year ending February, 1856, the commitments to the City Prison, Centre St., New York, were 36,264, of which number 32,703 were persons of intemperate habits.

§ 9. By the concurrent testimony of various countries, the Traffic in strong drink may be impeached, not simply as an nuisance, but as the *fons et origo* of 75 per cent in amount of those kinds of evils for protection against which the bulk of all laws are framed, and for securing partial exemption from which Society itself is expressly constituted. To neglect such a source of calamity and crime—much more, to 'license' and 'sanction' it—seems indeed a most monstrous dereliction of the duty of a State—a virtual abandonment of its organic and essential functions.

But to oppose practical and efficient Legislative action against the terrible *realities* of the Traffic, on the ground of a mere abstract theory of Government, is a melancholy exhibition of human infirmity. HUMBOLDT, who has written most profoundly on that side of the Theory which, on the first blush, appears to conflict with such legislation as we contend for, makes the important concession that *practical necessity* must first be regarded, and not theory.\* He admits, also, that the State must create new relations, and therefore rights and duties demanding a sacred respect,—and that the state, as the Guardian of the rights of all, must assert its supremacy for the sake of all: that, in doing so, it must start from things as they are, and treat Man as he is, and so, by preserving the gains of the past, reach to still grander

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\* HUMBOLDT's eloquent plea for individual development as against Restrictions on Luxuries, etc., has no relation to the Prohibition of the Traffic, the very reasons assigned *against* legal Restriction on natural faculties,—that it limits development and culture,—is a reason for prohibiting that which tends essentially and exclusively to hinder alike intellectual, aesthetic, and moral culture, to bar the progress of social amelioration, and reduce vast numbers to the low groveling tastes of the sot, or the dead level of drunkenness.

conquests of civilization in the future. He even warns the determined doctrinaire against splitting upon the rock of Fact.

"We should never attempt to transfer purely theoretical principles into reality, *until reality*, in its whole scope and tendency, offers no further obstacles to the manifestation of those consequences to which, without any admixture of other influences, the abstract principles would lead."

While, on the one hand, the whole history of the world does not furnish a single example of a Nation that has tolerated the Traffic in strong drink, rising to such a reality of moral and social life as to permit of the safe adoption of those abstract theories, so, on the other hand, all the facts of History and Experience go to show, that, with such an influence operating in a nation, the Model Government that is desiderated must be indefinitely postponed.

§ 10. The objection that 'by removing the temptation we destroy virtue,' is based upon an ignorance of the real nature and needs of man. For, first, we only propose the removal of *one special temptation*; all natural temptations will still be left. Second, temptation far more frequently promotes vice than virtue: and it never ends in good save under certain conditions of balance and counterpoise—the existence of which the Traffic renders all but nugatory. Even writers against the Maine Law will perceive this, when the prejudice-of-the-whim is not operating. Take, for example, the following admirable sentence, occurring in a review of the 'Newcomes,' in the *Spectator* for August 18th, 1855. "Is it not to some lucky accident that many of us, whose lives are happy, owe the final predominance of the good over the evil principle in our existence? For our part, when we are taught to pray, 'Lead us not into Temptation'—we recognize in that prayer the weakness of our nature, and are only too glad if, by lucky accidents and strong resolutions *combined*, those in whom we are interested *can escape the perils that beset youth and age*, and finally attain the blessedness of a life in which the affections find their proper objects and the best energies room to breathe." There is no tendency in the Drink Traffic to educe the best faculties; on the contrary, as we all know, the Tavern and Beershop corrupt our moral feelings. An occasional visit of inspection, indeed, to a Brothel, or a Beerhouse, might, on an innocent or pure mind, produce no worse effect than disgust or abhorrence; but perpetual visitation would soon blunt our emotions, and eventually contaminate our nature. Such an effect, in truth, is appointed by Divine justice. As the man who *will gaze* perpetually upon burning mirrors, induces blindness, a film gathering upon the organ of vision, and the vitality, so to speak, retreating behind the veil; so the deliberate injury inflicted by the Trafficker for the sake of gain, and the associations of folly and blasphemy with which the visitor wilfully surrounds himself, and the temptations to which he is exposed, bring on a

moral blindness, which thickens its film with the habit of every day. "Moral evil," says a thoughtful writer, "is the only thing in the creation of God, of which it is decreed that the more we are *familiar* with it, the less we shall *know* of it."\* It is, therefore, only the pure, humane, and conscientious that can discern the degradation of every vice, appreciate the true power of temptation, or compute the force of passion and impulse—but the young, the neglected, the weak, in short, *the many*, who are the parties mainly exposed to the seduction of the Traffic, these, unaware of their danger and of the evil, become its wholesale victims. If a Father would not desire to surround his daughters with the pollutions of our large cities, or expose his sons to the temptations of the Casino or the Tavern, why should the State either license or tolerate a machinery of mischief which is corrupting *en masse* its honorable, but neglected, industrial classes? These, in truth, *are* the 'children' of the State; and must remain as such, until that which hinders their social culture is taken away; when, entering the temple of Constitutional freedom, they shall cease to be the mere producers of wealth, and become the Guardians of its welfare and its glory.

§ 11. Will it be objected, against this practical view, that the Traffic is not the *cause* of the evil complained of, and that the Drunkard and the Criminal are alone responsible for the violations of right and social order? We meet the objection in two ways:—

First, as we should the man who started a lottery, or set-up a gambling-house, and pleaded the innocency of the instruments, and the absence of any 'necessary connexion' between play and ruined character and fortune. It may be perfectly true, that we cannot denounce a game at Whist in the Vicar of Wakefield's quiet parlour, for 6d. a corner, as a *crime* against Society,—and it is hoped even that the good people themselves never doubted its innocency, since what is not of faith is sin; but who, save a purblind theorist, could defend the innocency of *the trade in gaming*?—or deny to society the right to put so vicious a system in the category of prohibited things? That which being injurious to the community is forbidden by law, becomes a crime. As of cards or dice, so of strong liquor. To use it, may be only a mistake, or a vice: but *the Trade of selling it* is more—it is a social injury; for, somehow, great social mischief invariably follows. Taking our stand upon the *actual connexion*, then, we reply—If the evil is enormous and constant, and frustrates the due progress of Society in happiness, industry, and civilization, and if we have the power of *preventing* it, we are assuredly bound to do so; and therefore to adopt the available and efficient means to that end. This, as we shall demonstrate, involves either the direct prohibition of the Traffic, or the enforcement of such

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\* *Endeavors after the Christian Life*, Vol. i. "On Christ's treatment of Guilt."

penalties on the transgression of restrictive Laws as would lead to its abandonment.\* Other answers may be given, which will serve, equally well, the turn of the objection. The Traffic *feeds* the cause, or encourages it. Or, it is *part* of the cause. Or, it is that factor which gives *potency* and *perpetuity* to the cause. Or, it is the road for practically reaching the cause. The meta-physical objector may choose his phrase.

Second, we say, those who affirm that there is no connexion of constant antecedence and sequence between the Traffic and Social evils, are bound to prove this, not only by the evidence of History, which is impossible to be done, but by actual, experimental Illustration. In the meanwhile, they must at least give to us the guarantee that *they* will bear all the '*cost, burden, and consequences*' of the system as it actually exists for their convenience—that they will pay the 75 per cent of taxation now imposed upon us for the expenses of paupers and criminals accruing from their 'Institution'—and that they will fence-in, or set apart with due guards, as is practised with Prostitutes in some countries, the Traders in strong drink, so that their customers never encroach on our common territory while under the exciting, depraving, and therefore *dangerous*, influence of the article which they dispense. The physical and social health of the People as much requires such protection, as ever bodily health demanded quarantine in reference to contagious pestilence: and against this *right* of protection the mere '*convenience*' of purchase can no more be set, whether that convenience affects one or many, than the '*convenience*' of passage can be urged for allowing a wagon of gunpowder to perambulate the streets of a crowded city.

We return to our old conclusion, that the Traffic in strong drink ought to be prohibited by an enlightened State.

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\* With the moral question of the relative responsibility of Drunkseller and Drunkard, the Alliance does not meddle: it concerns itself with the practical remedy of the actual evil. If such penalties were imposed as would *taboo* the Traffic, it would amount to a Maine Law; and none less have ever succeeded. *Prevent* the evil, however, and we care not how you frame the law.

## CHAPTER III.

“THAT THE HISTORY AND RESULTS OF ALL PAST LEGISLATION IN REGARD TO THE LIQUOR TRAFFIC, ABUNDANTLY PROVE THAT IT IS IMPOSSIBLE SATISFACTORILY TO LIMIT OR REGULATE A SYSTEM SO ESSENTIALLY MISCHIEVOUS IN ITS TENDENCIES.”

## I.

§ 12. *The Liquor Traffic, we say, is essentially mischievous.* That which makes it so, is the seductive and disturbing influence of the Drink dispensed, the necessary associations of its use on the premises, and the interest of the Seller to dispose of as much of his liquor as possible. Ardent spirits were styled a ‘bewitching poison,’ by the Legislators of England a century ago : and the appellation is most apt. By the Orientals, alcohol has been immemorially designated as ‘liquid fire’ and ‘the mother of sins.’\* The *Edinburgh Review*† describes it in the following graphic terms :—

“The passion for fermented drinks is not instinctive. A rare accident taught some sleepless Arabian chemist—torturing substance after substance in his crucibles and alembics—how to extract the *fierce spirit* from these agreeable drinks, and brought up, as it were, from the bottom of Pandora’s box, that Alcohol which has since inflicted so many evils upon the world. They exhilarate, they enliven, they stimulate and exalt the mental powers. Some [persons] they stupify, *some they convert into irritable savages*, some into driveling idiots, and some into mere pugnacious animals. All, if long and largely used, they brutalize, prostrate, and, in the end carry to an untimely grave. But more wonderful than these *poisonous* and destructive effects, is the *passion for indulging in them* which these liquors awaken in a large proportion of our fellow-men—the irresistible love with which these unfortunates are smitten by them—the *fascinating influence* by which they are charmed. The Will becomes absolutely spell-bound through the action of alcohol on the bodies of some, and Reason is dethroned, even where it formerly exercised clear and undisputed sway. *It is from this fascinating power that the danger of using them principally arises.*”

It is not the *Public House* with which we war ; it is not the *Publican* to whom we object. It is not even the company we find there that is necessarily objectionable. It is that which vitiates the calling of the Taverner and corrupts his company ;—which makes alike the Trade, the Trader, and the Tippler, objectionable to the pure and the good,—*it is the use of the specific Drink* (§ 16). The temptation to its use is of course increased

\* Vide Southey’s *Thalaba* and Sir William Jones’s *Commentaries on Asiatic Poetry*.  
† April, 1855. Art. ‘Chemistry of Common Life.’

by the encouragement of company, and its sale naturally fostered by the arts of the Publican. Nature imperiously limits the use of bread or beef, or even clothing : and hence the Baker and the Butcher never think of pressing their customers, as the customers never dream of purchasing, steak upon steak, and loaf upon loaf.\*

At the Public-House, however, it is glass after glass, excitement upon excitement, until that passes, through noise, revelry, and riot, to paralysis or prostration. The moral responsibilities of the Customer are of no account to his partner and pander in guilt. The sacred claims of home—of wives and children—are scouted and scorned; and so vitiating, so sensualizing is the effect of this dreadful business upon the Traffickers themselves, that, without shame, they publicly chant odes in praise of the Pagan God, and sing anacreontics which openly flout the tenderest and the purest influences of human life. Never was the low moral tone of a class of Traders more completely delineated than by the glee so enthusiastically received at the Anniversary meeting of the Licensed Victuallers of Birmingham, held in Dee's Hotel, Aug. 22nd, 1855, and repeated at similar provincial orgies. It was sung immediately after the Toast of "The Honorable F. H. F. Berkeley, M.P., and the Members of both Houses of Parliament who supported the alteration of the Sunday Closing Act."

"Jolly boys, your voices raise,  
*Call on Bacchus—chant his praise;*  
 O! Bacchus, let us be  
 From cares and sorrow free.  
 When we thy *orgies* sing,  
 Each cobbler is king!  
*This day we'll drown all sorrow,*  
*Our cares will come to-morrow.*  
 Now, to love I do incline,  
 While I drink the rosy wine;  
 Drink rich wine and make good cheer,  
*We've no scolding wives to fear.*  
 Fill me a mighty bowl  
*Up to the brink, that I may drink*  
*Till round the roof does roll—*  
 Let's be merry while we may—  
 All things have an ending day."

By this confession of the Publicans themselves, *the Traffic is a craft organized for the encouragement of Drinking*, at the high festivals whereof, praises are chanted to Bacchus and Brutality! It was the perception of this fact that led one of our great

\* The demand for bread does not enlarge with the supply; but the demand for strong drink does. The supply of bread in a community does not increase the demand for it indefinitely, but the supply of drink always creates individually a desire for more and more. Eat moderately, you want less: but when you Drink moderately of intoxicating drink, you want *more*. As the Westminster Reviewer says—*Moderation in alcohol oils the hinges of the door of excess.*

\* We have now before us the report of the anniversary dinner of the Licensed Victuallers of Gateshead, October 2nd, 1855, attended by the then Mayor, and by the Sheriff and Mayor of Newcastle; on which occasion Mr C. LARKIN, Surgeon, was selected as orator. While he denounced the Scotch as "Priest-ridden Asses,"

patriot writers in other days—DANIEL DEFOE—to utter this melancholy truth :—

“Wherever God erects a House of Prayer,  
“The Devil’s sure to build a Chapel there;”

meaning, of course, the Tavern over the way. Now, alas! we have twenty Taverns to one Church.

§ 13. Nor is the Traffic in exciting liquors less pernicious in its effects on the health than on the morals of those engaged in it—so pernicious, indeed, that it would be a mercy to the Publicans themselves to prohibit the sale of strong drink, for it would increase by *one-half* the average life of the class. (See § 65.) The Traffic is necessarily corrupting and injurious to both traders and purchasers. The Chairman of the Select Committee on Public Houses, 1853, very naively defines the functions of a Drink-seller. (No. 9430.) “*His business is to sell as much drink as his customers want, and it is their misfortune [but the Publican’s gain] if they drink too much.*” To which Mr Alderman WIRE, the solicitor of the Licensed Victuallers, adds a very candid sequel. (No. 4973.) “*They will do the best they can to attract custom to their houses, and in some instances, of course, there will be ‘illegitimate attraction.’*” The essential tendency of the drink, the associations of company, rendered often more attractive by contrast with neglected or comfortless homes, and the arts of the Publican pecuniarily interested as *a rival to the family* in his claims on the purse of the customer, are the three prime factors concerned in the creation of our National Intemperance.

§ 14. The most strenuous advocates of Free-trade in every thing (who do not stop to enquire whether some Trades, as the trade in Opium to China, or in Slaves to Cuba, ought even *to be* a trade), are compelled to confess a *peculiarity* in the Liquor Traffic which demands and justifies a peculiar treatment. Mr HAEVEY, Commissioner of the City of London Police, in his evidence before the Select Committee, says (No. 9478), “I ‘see no reason why the business of a Publican should be *interdicted* any more than any other business”—but he immediately adds—“subject to such *regulations* as public order and social propriety require.” But *do* other businesses require magisterial regulations? The Chairman asks (No. 9442), “If there was the *right* to obtain a licence, people would be careful to insert in their leases of houses in particular districts, that no person occupying them should establish a public-house?” The witness

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and the Teetotalers as liars, fools, and fanatics, such phrases as ‘Damn Wilson Patten,’—‘Go to hell’—‘Damn the Pope’—etc., were liberally showered in by the audience. Even the orator was disgusted, and when requested to toast the ‘Lady Mayoress,’ said—“*I will propose no woman in such a society of Ruffians.*” Another measure of the *morale* of the Traffic—of its relations to the great right of Public discussion especially—may be found in the frequent organized attempts to *answer* our arguments by clamor, cat-calls, brays, riot, and fire-works, as at Exeter, Bristol, Birmingham, Dudley, and Oxford, where the Leaders were publicans, and their supporters the hangers-on of the Public-houses. (§ 31, Note.)

responds, "Yes." At No. 9447, the Chairman says: "You allude to the advisability of closing public-houses *at an earlier hour*; have you any reasons for knowing what would be the opinions of the publicans?" He adds—"Now they have trouble with their customers *after a certain hour of the night*, and would be glad of an excuse or pretext of law, to close their houses?" Mr HARVEY answers—"I think so." But what other business makes the buyers of its wares so troublesome? What other traders, after profiting by their customers, turn them into the street helpless or uproarious, for other people to be troubled with? To another question, he answers (No. 9405), "I do not know that I am prepared to suggest that *Coffee-houses* should be compelled to close at any given hour." He then states that the *Coffee-houses* of London are much better conducted than the *Public-houses*, and that only two out of 196 hold out inducements to females of easy-virtue to act as decoy-ducks, by allowing them to sit awhile: but that out of 626 *public-houses*, 51 (or 8 per cent) are badly conducted. "Then," infers the Chairman, "the proportion of good conduct on the part of the *Coffee-houses* would imply that there was *less necessity* for their being put under any restriction." The Dublin Police *Statistical Tables* for 1853, show that in that city, for seven years ending then, there were nine *Taverns* reported, of which there were four convictions for police violations; *Public-houses*, 295, of which there were 163 convictions. There were in the city 1,033 *retailers of spirits*, including 82 *Taverns*. Of these, 873 are described as *regular*, 60 as *irregular*. There were 94 *Temperance Coffee-houses*, of which 93 are described as *regular*. These facts, then, point to a great difference between the *Traffic* in food, and that in *Intoxicants*: and we are particularly surprised at a *Commissioner of Police* saying of the London *Chop-houses*—"It certainly does appear to me to be strange that these persons should not be authorized to sell spirits and wine, *as well as "chops and cutlets."*"\* It is Horace, if we remember rightly, that has said, "Thrust Nature out of the door with a fork, and she will fly in at the window"‡—and the same may be said of *Common sense*. So Mr DANIEL WHITTLE HARVEY (No. 9464) says: "I think it is desirable, as a matter of regulation, that the *Crystal Palace* should not be *styled* with *public-houses*." Truly 'a Daniel come to judgment,' for who ever thought of applying such an epithet to proper trades and industrial employments? We thank him for the word, as Gratiano thanked the Jew.

\* When a plain question is put shortly after, he can see a great difference. (No. 9405.) "I do not know that I am prepared to suggest that *Coffee-houses* should be compelled to close at any given hour." He assigns as a reason—"Because those who open *Coffee-houses* conduct themselves well." (No. 9367.) "If Publicans were enjoined to shut up their houses at 12 o'clock on every night, it would greatly aid the preservation of peace and order."

‡ *Naturam expellas furca, tamen usque recurret.*

He further says, "I would not give to the laboring community an excuse to go to the Crystal palace, because Public-houses are at hand. *I would not give them the temptation of the alter-native.* If I were the Landlord of the neighboring soil, I should feel disinclined to have *my property* so dealt with" as to become a tavern site. Now, change Public-house into Chop-house, Bakery, or Confectioner's shop, and see how meaningless the declaration becomes! There is obviously even in the soul of a Commissioner of Police, and a theoretical advocate of *laissez-faire*, a latent feeling of the peculiarity and danger of the Liquor Traffic, or rather a consciousness that will not hide, that the Traffic stifles morals and intellect, and stirs up disorder and depravity. If the Traffic would not be tolerated on our private estate because of its contaminating influence, why should it be licensed on the National Estate, to send forth its poisonous and stifling exhalations amongst the habitations of our uneducated artizans? If it would 'stifle' the ends and aims of the great Temple of *Æsthetic Art* and *Industry*, how much more terrible must be its agency amidst the abodes of toil, in the dark and dirty streets of cities, and in the crowded cottages of the poor, from which are banished so many of those pure, elevating, and preserving influences which should form the glory and ornament of a civilized community?

§ 15. Facts clearly evince a wide difference between *Eating-houses* and *Drinking-houses* (falsely called *Victualling-houses*). Take from almost any day's paper some of those deplorable and nationally-disgraceful examples of 'wife-beating,' which have become so common and notorious that an Act of Parliament has been specially framed to meet the case,—an act which fails for the obvious reason that it tampers with effects instead of boldly grasping causes. No man ever sits down to drink with the design of getting his mind so perverted that he will go home and beat his wife, or abuse his children. He sits down with the resolve *not* again to do that; but he drinks—and does it. *The Times* before us supplies this case, coming before Mr BROUGHTON.

"H. C., charged with assaulting his wife, a very respectably dressed woman, carrying on business as a dress-maker, in Manchester Square. She seemed much distressed while giving her evidence.—Magistrate: What did he do last night to cause you to have him brought here?—Complainant (reluctantly): He was very tipsy, sir, and aimed a blow at my head. *He behaves very well when he is sober.*—Magistrate: Do you consider that from his conduct you *stand in danger of your life?*—Complainant: I certainly do, your worship; but I should be sorry to hurt him if he would behave better.—Police-constable 60 D stated that upon being called into the house, the defendant told him that if he did not quit the place directly, he *would blow his brains out with a pistol.*—Ordered to find bail."

Here we have a case in which a perfect madman is *made* by the Traffic, who endangers the lives of two citizens, and might, in such a state, commit other atrocities—yet the Trafficker is held guiltless! A provincial paper, the *Sunderland News*, for

March 10, 1855, supplies two examples of assaults upon women.

"R. L., for assaulting Mrs F. W.—Fined 40s. or to go to Durham Gaol [at the public cost] for two months."

"J. F., for seriously assaulting Mrs M. H. on the head with a poker—Fined 20s. and costs, or go to gaol for one month.—Complainant: He was drunk at the time, or he would not have done it. *He's a good man when the drink's not in him.*"

Is there not a vast difference evinced in such instances between Eating-houses and Drink-shops? Did Mr WHITTLE HARVEY ever hear any of the women in the Police Court say, in palliation of the conduct of their assailants, "He behaves very well when he has not been to the Cook's-shop or the Coffee-house"? or, "He's a good man when the mutton chop or the veal cutlet is not in him"?

§ 16. The mischievous tendency of the Traffic, whether free or regulated, and whether in wine, ale, cider, or spirit drinking countries, is incontestibly proved both by ancient and modern History.

At Athens, in the palmiest days of ancient Greece, Taverns were deemed such disreputable places, that not even a servant, with any pretence to morality, dare be seen eating or drinking in them.\* PLATO, in his model laws, puts the following language into the mouth of a Lacedaemonian:—"That whereby men chiefly fall into the greatest luxuries, insolence, and all sorts of moral madness, our laws have effectually rooted out of our country. You shall, neither in villages nor towns belonging to the Spartan State, see any such things as Drinking-Clubs, or their usual consequences."† A Tavern is simply a house for the encouragement and accommodation of such a 'Club.' *The Law-Book of the Ante-Nicene Church* has the following as its 54th canon: "If any one of the Clergy be taken eating in a Tavern, let him be suspended, except when he is forced to bait at an Inn upon the road."‡ (See § 38—§ 46.)

The same truth is proved by an examination of such Continental countries as have left the Traffic either free or with few restrictions: and it still holds good (even where social arrangements preclude pauperism), that madness and crime abundantly spring out of it.

§ 17. LORD ACTON (now Cardinal), when Supreme Judge of Rome, assured Mr E. C. DELAVAN,|| while on a visit to the 'Eternal City,' that nearly all the crime in Rome originated in the use of wine. He directed me to that part of Rome which would well compare, says Mr Delavan, with the Five Points in New York: "I visited that district, and there I saw men, women, and children, sitting in rows, swilling away at wine, making up in quantity what was wanting in strength; and such

\* Isocrates, *Areopag.* p. 354.

+ Plato, *de Legibus.* Book i.

‡ Bunsen's *Hippolytus.*

|| Albany Prohibitionist, Dec. 1854.

was the character of the inmates of those dens of debauchery, that my guide urged my immediate departure as I valued my life.

"And to-morrow," said LORD ACTON, "I shall be obliged to condemn to death a man who went direct from one of these dens to his home, where, under the influence of wine, he butchered his mother and his wife. And this man, when not under this malign influence, was a most kind-hearted son, husband, and father."\*

Several Italian physicians and authors refer to Intemperance as but *too common*. GIACOMINI complains, in strong terms, of its rapidly increasing evils.† SPERANZA states his own experience of the *large proportion of diseases of the digestive organs* that are owing to the use of Spirits, and quotes PERRONE, of Naples, as to the *frequent and fatal maladies* that follow drunkenness among the lower classes.‡

§ 18. JOSEPH JOHN GURNEY has the following memorandum as to the condition of things in free Switzerland:—

"Berne, 7th mo., 30th, 1843. I have visited the Prison, and was kindly favored with an opportunity of addressing about 480 prisoners. 480 criminals for a Canton containing 400,000 inhabitants (1 in 800) is too large a proportion, and *all this in spite of schools, pastors, and catechetical formal knowledge of religion, which is general even among the mountaineers*. The secret which explains the phenomenon, is the prevalence of drunkenness. So much for even the 'light wines' of the continent!"||

A fact on which we stumbled in M. QUETELET's celebrated book on Man, is enough of itself to dissipate the notion of the Light-wine Legislators of our Parliament, who seem to have forgotten that when those wines *were* used in England, in the 14th and 15th centuries, at a price so low as 25s. per tun, they occasioned the most disgraceful intemperance. The passage abridged is here:—

"Of 2927 murders committed in France during the space of four years, 446 have been in consequence of quarrels and contentions in Taverns."¶

The truth is, that where Taverns are permitted, the vice of drinking tends to increase, and the lighter beverages of wine and cider in due time create an appetite for the stronger, such as beer and brandy. There is nothing in the social condition of our neighbors which can at all recommend their wine drinking, or show its superiority to our *cider* counties. They annually

\* See Hilliard's *Six Months in Italy*, to the same effect. Even while we write, September, 1855, the *Daily News* records the serious danger incurred by the Pope, through the mad driving of two viciously excited coachmen.

† *Trattato Filosofico-perimentale del Soccorso Terapeutico*: Opere iv. p. 399. Padua, 1853.

‡ *Storie e Riflessione: Raccolta di Opere Mediche Moderne Italiane*, t. v. p. 244.

|| *Life*. Vol. ii. p. 472.

|| *Sur l'homme et le développement de ses facultés*. t. iii. c. 3.

consume *one thousand millions* of gallons of wine, cider, and brandy, or above forty gallons to each person, children and adults included! This, at the lowest computation, will be equal to five gallons of alcohol, circulating each year in the blood of every adult, disturbing the brain, and perverting the passions of the soul.\*

Now let us look at co-existing facts. Between the years 1826 and 1843, the increase of population was at the rate of seven per cent, but the increase of crime was as follows:—

	18 per cent.
<i>Man-slaughter</i> .....	18
<i>Rape on adults</i> .....	27
<i>Rape on children</i> .....	140
<i>Parricide</i> .....	28
<i>Infanticide</i> .....	34
<i>Murder and Murderous Wounding</i> .....	87
<i>Fraudulent Bankrupts</i> .....	39
<i>Forgeries</i> .....	47
<i>Arson</i> .....	74
<i>Perjury</i> .....	81

This record, fearfully large as it is, contains only those crimes which have been *proved* upon individuals; and if to these be added those which have *never* come to light, or which have not been *successfully investigated*, the per centage must be swelled to an almost incredible degree.†

The statistics of France in suicides show an alarming increase in this kind of amusement. From 1820 to 1830 (ten years), the number of suicides was 1,765; from 1841 to 1843 (three years), 2,573; in 1844 (one year), 2,900!

M. LE CLERC remarks of the 'Sound' French Wines:—

"The women and children taste none of it; the laborers *leave their work, and derange their means, to drink irregularly*, without the barriers of the towns, the wine which would be taxed the moment it enters within the walls, and, at a distance from their homes, transform into *drunken debauch* the time which should have been spent in profitable labor."

The *Salut Public*, of Lyons (September, 1855), announces that a Temperance Society, on the plan of those existing in England, is in course of organization. The society proposes to build, on the Plain du Lac, a kind of lazaretto, *especially intended for the conversion of drunkards, and the correction of children already addicted to that vice*. Wine and spirits to be completely interdicted, but the inmates to be fed with meat, rice, and vegetables.

There is not so much riotous or dead drunkenness on the Continent as here, but there is *more universal drinking*, and quite as much of that drinking most to be feared—that perpetual steeping of the system in excitement which inevitably ends in crime,

\* "The alcohol drunk in France is equal to about *twice* the quantity per head which is used in Great Britain."—Dr BELL, *on Regimen and Longevity*.—1830.

† The crimes which increased the most are precisely those which we know to be most likely to flow from perverted feeling and hardened moral sensibility.

by 'priming' the man for any deed. There is, however, far more even of palpable intoxication, than superficial flying travellers suspect.\* Mr J. FENIMORE COOPER, the distinguished American author, says in his *Travels* :—

"I came to Europe under the impression that there was more drunkenness among us than in any other country, England, perhaps, excepted. *A residence of six months in Paris changes my views entirely* : I have taken unbelievers with me into the streets, and have never failed to convince them of their mistake in the course of an hour....On one occasion a party of four went out with this object: we passed *thirteen drunken men* within a walk of an hour—many of them were so far gone as to be totally unable to walk. I once saw three men wallowing in the gutter before my window, a degree of beastly degradation I never witnessed in any other country....In passing between Paris and London, I have been more struck by drunkenness in the streets of the former than in those of the latter."

The distinguished statesman, Count DE MONTALEMBERT, said in his place in the National Assembly of 1850, in reference to the 360,000 Cabarets (yielding a revenue of £2,500,000) :— "Where there is a *Wine Shop*, there are the elements of disease, and the frightful source of all that is at enmity with the interests of the workmen."

The Rev. G. M. MUSGRAVE, M.A., says of Normandy :—

"I was shocked to hear of so many *young children* being insane. The majority of cases among the adult *aliénés* arose out of general intemperance, debauchery, and an abandoned course of living. The *free use* of Brandy tended, in a fearful degree, *to weaken the intellectual faculties*, and took fatal effect frequently before the age of 25."†

Even the English amusement of wife-beating may be paralleled by the results of wine drinking in France. The following is translated from the *Paris Dansant, ou les Filles D'Hérodiade*, published at Paris in 1845 :—

"She knows too well what marriage is among the poor to desire it. She knows how the husband takes advantage of his wife's labor, and *spends at the barriers what farthings she painfully gathers at the point of her needle*. She knows how the mother of the family passes long days, besieged by naked children, who ask in vain for bread. *She knows how the lord and master re-enters, his pockets empty, drunk, soiled with mud, and on the first remark or complaint proceeds to blows*. She may have been a patient in the Hotel Dieu, and have seen that, in the department for injuries to females, almost all the beds were filled with wives who have been carried thither half-killed by their husbands."—p. 82.

The celebrated writer on Prostitution, M. PARENT DUCHAT.

\* To what the Tavern system has led, the reader may see by perusing "A Sunday in Paris," by Mr Douglas, W. S., of Cupar Fife, published in one of the 'Stirling Tracts.' Or he may read "The Soldier of Fortune," written many years ago by a French Author, translated and published in Hodgson's Parlour Novelist, and also in the first series of *The Alliance*. This reminds us of similar testimony furnished in the works of the Flemish author, Hendrick Conscience, especially in his story entitled *The Curse of the Village*.

Ramble through Normandy ; p. 202. London, 1855.

ELLET, observes that the evil is promoted largely by bad parental example and usage arising out of *drunkenness*.

It was SMOLLETT, we think, who observed in his *Travels* about a century ago, that *all wine countries are poor*,—palpably because they present facilities and temptations to drink,—and that the French peasantry were always more healthy when there was a scarcity of wine.

Mr E. C. DELAVAN, while on a foreign tour some years ago, did look for intemperance, and found it too, with all its attendant horrors ; and he found its effects also,—crime, poverty, and disease. The DUKE OF ORLEANS, General-in-Chief of the Armies of France, told the same gentleman that the ration to each soldier was a bottle of wine a day—that the use of that bottle only stimulated the appetite for more, their small pay being usually squandered to purchase it ; and that insubordination in the army could be traced to the wine ; and most of the crime and poverty in the country, especially in the wine districts, *to the same cause*.

M. VILLERME, in his treatise on the Working Classes, describes their *Cabarets* at Lille : “All drank the detestable corn-brandy or beer. I heard even children utter the vilest obscenities. I have never seen *at once* so much pollution, misery, and vice ; and nowhere under an aspect more hideous and revolting.”

The Mayor of Paimpol, in his official Report, says :—“I affirm that the greater part of the paupers of this town owe their misery to the excess of drinks, particularly brandy ; that almost all the disorders and crimes which have come before me have been committed by persons either drunk or given to intoxication.”

The Hon. HORACE GREENLY, in his Editorial Correspondence to the *New York Tribune*, June 30th, 1855, says :—

“Walking out in the environs of Paris a few days since to observe the French methods of agriculture, I was somewhat surprised, knowing my American friend and companion to be a moderate drinker of wine, by his casual remark, that *he regarded the vine as the great scourge of France*. From one who discards and rejects the inspiration of the ‘generous juice,’ such an observation would not have seemed remarkable; but from my intelligent friend, who has spent some years in Paris, and has conformed in his beverage to the habits of her people, I certainly did not expect it.

“As to the temperance of wine-producing nations, and of this one in particular, a great deal has been boastingly said, which is not half consistent with the facts. It is true that the people of the warmer portions of the temperate zone are less addicted to intoxication than are those of severer climates ;\* that there is less drunkenness in Sicily than in Scotland—in Lyons or Rome, than in Moscow or Edinburgh. It is likewise true that the milder stimulants, like wine or beer, do not intoxicate or madden *so readily* as do the fiery products of distillation. But that wine *will* intoxicate—*does* intoxicate—that there are confirmed drunkards in Paris, and through-

\* Not owing to climate, however. India, Persia, Arabia, etc., were once *very* drunken. To Arabia, Mohamet applied the *Maine-Law*. See the celebrated Oriental book, *Antar*.

out France—is also notorious and undeniable. *You can hardly open a French newspaper that does not contain some account of a robbery perpetrated upon some person stupefied by over-drinking*—a police case growing out of a quarrel over the wine-cup—or a culprit, when asked to say why the sentence of the law should not be pronounced on him, replying, ‘I was drunk when this happened, and know nothing of the matter.’ *That journeymen are commonly less fitted for and less inclined to work on Monday than on other days of the week, is as notorious here as it ever was in any rum-drinking city.* That the French character, male and female, would stand higher in the general estimation if Wine were unknown here, is very plain to all who look through uncolored glasses; and that the love of Wine often ripens here into a fierce thirst for more fiery potations, is as certain as that cider drinkers ever become rum drinkers in New England. In two or three thronged Parisian localities flashy grog-shops have recently been opened, under the general designation of ‘American Buffet,’ where mint-juleps, sherry-cobblers, and such like delectable compounds, are dispensed at a franc per tumbler; and I am assured that thousands of Frenchmen, no longer satisfied with the milder stimulants to which they have been accustomed from childhood, are here ripening into habits which their wine-drinking friends cannot regard without alarm. I need hardly add, that the distillation of brandy is an ancient and important pursuit in France, and that the beet crop of last year was extensively diverted from sugar-making to the production of spirits.”

§ 19. The truth we are enforcing was never more fitly expressed than by one of Britain’s most classical authors. “In all the ‘towns and countries I have seen,’ said Dr OLIVER GOLDSMITH, ‘I never saw a city or village yet, whose miseries were not in proportion to the number of its public-houses.’ The more numerous and busy such houses are, the more destitute and degraded are the people: but the more numerous and thriving other trades, as Bakers, Butchers, Drapers, Shoemakers, Furniture dealers, etc., the more prosperous and happy will be the community. What can more strikingly evince the *bad peculiarity* of the Liquor Traffic? Things may have changed in the Low Countries since Goldsmith’s time, but the law still holds. He adds—“In Rotterdam, you may go through eight or ten streets without finding a public-house; in Antwerp almost every second house seems an ale-house. In the one city, *all wears the appearance of happiness and warm affluence*; in the other, the young fellows walk about the streets in shabby finery; their fathers sit at the door, darning and knitting stockings, while their ports are filled with dunghills.” We cut out the following testimony from the *Missionary Record* of the U. P. Church of Scotland, for December, 1854:—

“BELGIUM.—What is the moral and social condition of the people? The answer to the question will depend, to a certain extent, on the part of the population referred to. BRUSSELS may be defined as a little Paris,—very gay, very pleasure loving, and very wicked. The state of morals in ANTWERP was described to us as in many respects frightful.

“Judging of the peasantry from the little we saw of them, our opinion would be highly favorable. For tidiness, cleanliness, and an appearance of comfort, they would bear a very advantageous comparison with any portion of our own people. It is well known that, as a nation, the Belgians have been for centuries distinguished by habits of industry and enterprise; and

never, probably, was more favorable scope afforded for the development of these qualities than in the present fortunate political situation of the country. *Nor did it ever present more abundant tokens of commercial life and material prosperity.* The extensive coal and iron deposits of the West and South have given birth to much manufacturing industry,—to foundries, and other public works. The population in these quarters is, *to a lamentable extent, degraded, brutal, and ignorant.* In all parts of the country, but especially here, one cannot fail to be struck with the number of *Estaminets*—that is, drinking and smoking houses. *Wine, beer, and spirits are consumed in great quantities by the working classes.* It is said that the consumption of spirits is rapidly increasing. The Sabbath, and more especially the Monday, is given up by a vast number of the miners and other operatives to drinking and revelry.\* Beastly intoxication, and the diseased craving for strong drink, are common. There is certainly little to offend the eye in the public streets. But on the best testimony, we were assured that *there is a vast amount of intemperance, much carousing and gluttony, great sottishness, and mis-spending of time and money.* In other respects, also, morals are dismaly low. This is proved by the extraordinary number of illegitimate births.<sup>†</sup>

§ 20. If we extend our enquiries into Germany, we shall find that the general consumption of *Light wines*, instead of preserving sobriety, has converted the Germans into a nation of Brandy drinkers. The following facts were stated at a Conference held at Bremen, September, 1852, by Dr WALD, of Konigsberg :—

That the Zollverein consumed 122 millions of dollars' worth of alcoholic liquor (£18,000,000). That Berlin had in 1845, as compared with 1745, 1,500 more Taverns, and one Church less! That out of 60 children under 6 years of age, in the Orphan Asylum, 40 had been accustomed to sip *spirits*, of whom 9 were infected with a depraved desire for them! That in the vale of Barmen, one of the most religious districts of Rhenish Prussia, there were above 400 Public-houses for the sale of *Brannt-wein* (Brandy); and out of a population of 80,000, not less than 13,000 dram-drinkers. That in the conscription of 1852, for a district of Western Prussia, out of 174 young men, only 4 were declared admissible by the inspecting Surgeons, *the remaining 170 being physically incapacitated by dram-drinking!* That from year to year the Prisons and Lunatic Asylums become more crowded, thousands becoming permanently mad through *delirium tremens*; and that drinking occasioned *nine-tenths* of the increasing divorces of the country. That in the North of Germany, the use of spirits has increased *ninefold* in 35 years, so that more than *one-half* of the whole corn and potatoes grown are converted into this 'bewitching

\* The London *Examiner*, of May 24th, 1855, has the following intrepid generalization:—"Precisely in proportion to the austere observance of the Sabbath is found the prevalence of inebriety." The Scotch are referred to as the sole basis of the remark, and the reason assigned for their Sabbath drinking is—"They have nothing else to do." But there is the absence of this austerity in Manufacturing-Belgium, and in Sweden—yet not the absence of inebriety! In Paris, too, there is far more drinking on the gay Sabbath than on the graver work-day. All this proves simply, that when the workmen have nothing else to do, they are more exposed to fall into the *traps* of the Traffic.

† See Report published by Hertz, Berlin, 1852.

poison.' At the conference where this paper was read, it was unanimously resolved, "That the congress recommends the central committee of Inner Missions to apply to the different governments for the improvement of the present *laws that so far restrict the sale of spirituous liquors*, and for their rigorous enforcement in the meanwhile."

LIPPICH, in his *Grundzüge zur Dipsobiostatik*, referring to the mortality in Laibach, computes that one in 120 of the *entire population* perished annually from excess, and that *a fourth of all the adults might have been saved by abstemiousness*.

Sir GEORGE LEFEVRE, the author of *The Life of a Travelling Physician*, says :

"Gelnhausen bears strong marks of antiquity about it. A more miserable collection of buildings, or *a more squalid set of inhabitants*, are not to be seen throughout Germany, than this town presents. Gaunt misery stares you in the face; the houses are out of repair; mud hovels; the old in tattered weeds; the children half-naked, and dirt and filth in abundance. The peach and the mulberry ripen on the walls, and the grape is most luxuriant; but these are poor substitutes for the staff of life. *A wine country is generally a poor country*,\* as Dr GRANVILLE observes; but this truism is more applicable to Germany than the south of France, where the grape, in *solid and liquid form*, gives zest to the bread consumed with it."—iii. p. 264-4.

RUSSIA seems to have adopted a most disastrous policy in reference to the sale of spirits, making them everywhere plentiful, under the absurd idea of promoting the power of the nation by increasing the *revenue* from that pernicious source. Sir George thus refers to the *Fête des Morts*, and other bacchanalian festivals :—

"The peasant's life in this country hardly averages forty. He has originally but little stamina; this little is undermined by the use of spirits, generating dropsy and other diseases, which carry him off in what should be his prime. + Without advocating Teetotalism, yet an approach to this principle in Russia, would render her the most powerful country in Europe. These *holidays*, therefore, *inasmuch as they offer temptations to drunkenness*, serve but to perpetuate the misery of the poorer classes. The savings of weeks are dissipated in a day; and not only is all domestic comfort put out of the pale of possibility, but the very Staff of Life, the bread, black as it is, often fails."—iii. p. 28-29.

§ 21. If we go to the south of Europe, Spain for example, we shall still find the same law manifesting itself. The Hon. R. DUNDAS MURRAY, in his *Cities and Wilds of Andalusia*, published in 1853, 3rd edition, says :—

"Sober and temperate himself, the Peasant rarely suffers the wine-cup to

\* LIEBIG says that poverty is the cause of drunkenness. This arises from his seeing so much poverty where wine and spirits are made and drank. He inverts the real connexion.

+ He adds,—"The common people possess great intellectual powers, and but little is requisite to constitute them a manly, noble race." MICHELET calls them "an unfortunate race, which has been almost morally annihilated, nay even physically also, by excessive severity, the use of spirituous liquors, etc."—*Liberty Bell*, 1856, p. 21.

touch his lips. [Abstinence, after all, being his guard!] *He sees it to be the source of nearly all the brutal crimes committed in his country, THE GREAT PROPORTION OF WHICH SPRING FROM THE WINE-SHOPS, among whose frequenters the *navaja* [knife] is constantly produced to settle disputes, and horrible murders in this way committed.* I do not, however, include [amongst the abstemious] the *arrieros* and *caleseros*, a class with which the traveller is most frequently brought into contact. These men, true to the habits [*temptations?*] of their calling, which all over the world appears to be a thirsty one, have no objection to the juice of the grape, and imbibe it freely: for this many among them substitute a fiery liquid, called *aguardiente anisado*."—p. 313.\*

§ 22. Pass once more to the North of Europe, for an illustration of the essentially mischievous nature of the Manufacture and Sale of intoxicating drink, and of its *inherent tendency to generate excess and crime* under the highest restraining influences. Dr EDWARD CLARKE, the traveller, pronounced Sweden to be a temperate country in his day. SCHUBERT, in his *Travels in Sweden*, declares that "the laws against intoxication are enforced with great rigour. It is forbidden to give, and more explicitly to sell, any spirituous liquors to students, workmen, servants, apprentices, and private soldiers." The Swedes are well taught, morally trained, and liberally governed: the very *nostrums* for the cure of intemperance, now so confidently put forth by the *Literati and Legislators* of England—and yet what is Sweden now? FORSELL and LAING have told us the facts, but Sir ARCHIBALD ALISON, the historian, shall paint the picture:—

"The people of Sweden are universally educated; landed property, especially in the northern provinces, is very much divided among them; and no country in the world possesses, in proportion to its population, a greater number of clergy, who instruct the people in the pure tenets of the Protestant religion. The national character is admirable, and the manners of the people, except in one unhappy particular, worthy of general imitation. Brave, kind-hearted, and hospitable, sincere in their devotion, enlightened, when duly instructed in their intellects, gentle in their dispositions, the Swedish peasantry exhibit as fine a specimen of rural civilization as is to be met with in the whole domains of the family of Japhet. But one fatal indulgence + has well nigh obliterated all these advantages, and let-in upon this simple, kind-hearted people, the whole catalogue of human sins. Drinking is universal—the *liberty of distilling in every separate house, on paying a trifling duty to government for the right to use a still, has, from time immemorial, been established among the whole peasantry of the country*; and, at this moment, there are no less than one hundred and fifty thousand of these manufactories of 'liquid hell-fire'—as they have been well denominated—which distil annually *thirty millions of gallons of spirits, for the*

\* The *Economist* for April, 1856, in an article on 'Crime,' says:—"Offences against the person are the species which spring from drunkenness." It is mistaken: *all* kinds of crime spring from it, not one or two in particular. It also says:—"Crimes of violence are much more numerous among the *sober and grave Spaniards*, and the *sober and gay French*, than among the *less sober English*." The citations above will show how widely these theorists stray from the path of fact and truth. It admits, however, that while, since 1835, the consumption of liquor has decreased 25 per cent, crimes against the person have decreased 24.

+ The indulgence, as he shows, springs from the *temptation—the facility of Manufacture*: one happily for us, not yet permitted in England.

*consumption of three millions of people. The consequences of this calamitous facility in producing and obtaining spirituous liquors have been to the last degree disastrous.* Notwithstanding the small number of manufactures which are established in the country, the general simplicity of rural life, the absence of great towns, and the moderate size of its capital, which contains only eighty thousand inhabitants, *the average amount of crime over all Sweden equals that of the most depraved cities of Great Britain.* The illegitimate births are to the legitimate, over the whole country, as one to thirteen; while in the capital they have reached the astonishing number of one to two and three-tenths, exceeding the proportion of even Paris itself.\* So fearfully does this destructive passion for ardent spirits inflame the blood, and generate crime, even in the coldest latitude; *so perfectly adequate is it to counteract all the efforts of reason, prudence, morality, and religion;* and so fallacious is the system which, proceeding on the mistaken assumption that the people will of themselves abstain from such enjoyments as are pernicious, allows them to manufacture—without limit or restraint—*this most seducing and dreadful of all physical and moral poisons.*†

The History of the United States teaches the same important lesson. Freedom, education, *et cetera*, did not prevent a deplorable amount of national intemperance.

§ 23. The facts we have here adduced demonstrate, not simply the *peculiarity* of the Traffic in intoxicating liquors, and the uniformity of its consequences, which place it out of the category of Free-trades, because vicious; but also another important proposition—viz: *that (ceteris paribus) the facilities for the sale, manufacture, or purchase of strong drink, measure, because they are amongst the factors which generate, the Intemperance of a People.* And this is precisely *why* no Legislation that licenses the Traffic can possibly get rid of its evil fruits—can *SATISFACTORILY* regulate it. We may limit its effects, as we might chain a Bear; but so far as either Business or Beast had range, it would do mischief. At present, it is certain that half our pauperism and three-fourths of our crime, and a vast proportion of our taxation, disease, and other sufferings, are traceable to the Traffic. With a Sunday free from its curse, so far as an imperfect measure could free us, which leaves the motive and machinery of evasion intact, the 75 per cent of crime might be reduced to 60; or the *sum* of crime (not the proportion) might even become lessened 25 per cent. But would that convert the remaining sum of evil into anything *satisfactory*? We should still object to the diminished sum of crime, that 3-4ths of it sprang from the Traffic as before; and insist upon the *duty* of the State to prevent all *preventible* crime. To license or tolerate the Liquor-traffic, therefore, is equivalent to sowing the seeds of social disorder; whence, by inflexible law, the harvest must come, to be reaped in sorrow and bitterness.

§ 24. Our proposition may be established by other evidence. We have referred to the fact that there is more Intemperance in

\* In Middlesex, it is one to thirty-eight. Over all England, one to twenty.

† *History of Europe.* Chapter 70.

the Army than the Navy. *Why?* Because on land, the Soldier is more exposed to temptation to drink, through the *facilities* of obtaining it. Even the cheapening of Liquor has this effect, by making it more accessible; and the *supply* then creates the increased *demand*—reversing an ordinary law of trade. The annual consumption of Spirits in England and Wales, for the years 1823, 1824, 1825, was 4½ millions of gallons. In the latter year the duty was lowered from 12s.7d. to 7s. the imperial gallon: and what followed? During the next 3 years, 8½ millions were consumed annually (in 1828, indeed, above 9 millions), and crime rose everywhere *one-fourth*. The licensing of Grocers to sell spirits in Scotland and Ireland, furnish, in their results, evidence of the same truth, that the facilities for drinking create drunkenness, even where comparative temperance before prevailed.\*

An afflicting example is found in the conduct of the English Fencible and Militia regiments that were sent into Ireland in the period of the insurrection of 1798. Being, in consequence of the disturbed state of that country, freed very much from the usual strictness of military discipline, the *tendency* of facilities for getting drink was permitted to develop itself with little hindrance. Spirits were everywhere found in abundance, both the produce of legal and of illicit distillation, and they were of course very cheap. Habits of intoxication rapidly formed, and spread so widely amongst the army, that *hundreds of men* died of what the Surgeons aptly but truly designated the 'Whisky Fever.'

The author of an *Inquiry* into this subject, so far back as 25 years ago,† states that it is a common complaint on the part of the Masters of English coasting vessels, that their Sailors, though temperate and well-behaved in their own harbors, become drunken and riotous when at an Irish port, under the temptations of the Whisky Shop.

It is the same with our Sailors in the Chinese ports, where horrid grog shops are set up for entrapping them, and the issue contributes to produce in the minds of the Chinese, a disgust and re-action against the very name of *Christian*. It was but the other day, that a young man, a relative, just returned from his first voyage to China, narrated to us some of the disgraceful scenes of debauchery he had witnessed, and one outbreak in which

\* One of the worst consequences of *Smuggling Spirits* is the private facilities for their purchase, aided by the temptation of their cheapness. This brings a vast increase of *crime* along with it. D'ANGEVILLE remarks of France, that the districts of the coast and frontiers, where Smuggling most prevails, are marked by a *dark land of crime*. In Scotland, experience has shown that the *vigorous suppression* of Smuggling has tended materially to improve the sobriety and morality of the towns on the East Coast (see *Report* cited in § 32—37). So taxes have a prohibitory force, while cheapness of drink promotes drunkenness. When the duty on spirits was reduced in 1825, the consumption immediately doubled. The *Times* admits that a tax is "a very legitimate sort of check on our drinking propensities." (December 28th, 1853.)

† Dublin: Milliken and Son, 1830, p. 8.

he had participated. Seventeen of the Sailors, after getting excited at the *raki* shops, went into one of the Pagodas, and destroyed its gilded 'Gods.' They were all arrested of course, sent to the Tread-mill, and finally liberated only on paying handsomely the 'smart-money,' with which fresh Idols would be purchased in the place of those demolished by these strange Missionaries, in their alcoholic and iconoclastic zeal.

Follow our Countrymen to the Colonies, and we find the same truth. On Colonel COLLINS' description of BOTANY BAY, in 1796, BENTHAM makes the following commentary:—

"The most prominent cause of this state of abandoned profligacy, is the universal and immoderate passion for spirituous liquors: it is the exciting cause which leads to every species of vice—gaming, dissoluteness, depredation, and murder. Servants, soldiers, laborers, women, the youth of both sexes, prisoners and their gaolers, are all alike corrupted by it: it was carried to such a pitch, that numbers of the *settlers* were in the practice of selling the whole of their crops, as soon as they were gathered, in order to purchase their favorite liquor."\*

Speaking of his PANOPTICON PENITENTIARY, under the head of 'Temperance,' he has the following:—

"We have already had occasion to show that nearly all the crimes committed at Botany Bay, either originate, or are increased, by the use of spirituous liquors, and that it is impossible [owing to the smuggling facilities and extent of coast] to prevent their use. *Here* the evil is arrested in its source: it will not be possible to smuggle in a drop of *this poison*; transgressions will, therefore, be impossible. There is much humanity in a strict rule, which prevents not only faults and chastisements, but temptations also."

He afterwards speaks of the prisoners as "deprived of all intoxicating liquors, *those stimulants to dangerous enterprizes*. The success of these establishments has permanent causes in the sobriety and industry established. The rule which has ensured sobriety, has been the entire exclusion of strong-liquors,—even small-beer. *It has been found more easy to ensure abstinence than moderation.* Experience has proved that the stimulus of strong liquors has only a transitory effect, and that an abundant and simple nourishment, *with water for the only drink*, fits men for the performance of continued labors. Many of those who entered the Prison of New York with constitutions enfeebled, have regained, in a short time, under this regime, their health and vigor. The Duke de Liancourt, and Captain Turnbull, have entered into more details. We learn that the charge for medicines, which amounted annually to more than \$1,200, has been reduced to \$160."

That things have not much improved since 1796, will be

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\* Principles of Penal Law. Works Vol. i. p. 495.

evinced by an extract from Wilkes' *United States Exploring Expedition*, 1839-40, referring to Sydney.

"The vice of drunkenness stalks abroad at noon-day. It is not rare at any time, but on *holidays* its prevalence surpasses anything I have ever witnessed. Even persons of the fair sex were to be seen staggering along the most public streets, brawling in the houses, or borne off in charge of the police. *The facilities for the indulgence of this vice are to be seen everywhere*, in the form of low Taverns and Grog-shops, which attract attention by their gaudy signs."—i. p. 211.

In 1838, the consumption of spirits was five gallons annually, for every inhabitant of the Colony—old and young!

§ 25. Mr DE QUINCEY, in treating of the Philosophy of the Temperance movement, wisely observes, that "preparations of intoxicating liquor, even when harmless in their earlier stages, are fitted to be *stepping stones* for making transition to higher stages that are not harmless." We have seen already (§ 18) how true this is of the Light Wines of France, and of the Cider of our Western Counties; and it will be easily comprehended, therefore, how the Beer Act came to increase our national vice. By multiplying facilities it enlarged temptation and multiplied customers, and then, by inevitable law, *the use of the weaker excitant tended to foster an appetite for the stronger*. That act was passed with acclamation in 1830; and, without destroying one single Public-house, high or 'low,' it in a few years added some 50,000 still more baneful houses to the list of temptations already so fatal to the independence and virtue of our people! In 1834, the *Sheffield Iris* records the speech of a magistrate in that town, which states that from the 1st October, 1830, there had been 300 new Beer shops opened, and that no less than 110 had applied for *Spirit licences*. "Such was the *increased desire* for Spirits, formed by the *facilities* of obtaining Beer." The government, in fact, were increasing the temptations to drink in a new class, as well as extending the temptations to all; and hence the Beer Trade became the Jackall to the Spirit Traffic, and both the wholesale feeders of the poor-house and the prison.

We seize a passing event for another illustration—to us the saddest of all! From the Hospitals of Scutari the report travelled that FLORENCE NIGHTINGALE was ill—worn out by her womanly devotion to the suffering and the sick. The cause of her illness does not seem to have been caught at by the press;—perhaps it did not wish to discuss the question involved, its interests lying on the other side. Let us say, then, that it was really a sickness of heart. It was not the breath of the pestilence, nor continued toil and watching, nor the fierce blaze of an oriental sun, before which she succumbed:—

"All this could I have borne with deep joy," she writes; "but to see the stretcher brought to the gates every hour, laden with men foaming in the mouth and black in the face, *not* with the gore of battle, *but with the horrible defacement of a foe more dreadful or deadly than the Russian or the plague*—oh, it is terrible!"

This foe was intemperance. By the criminal neglect of our rulers, adding another to the fearful catalogue of disasters in the Crimea, men were permitted (as at the Ballarat diggings) to set up grog-shops, and to hawk about a Poison that has been more deadly than disease, the horrors of which it comes to aggravate. Behold the effects of the *Traffic* once more! Tollsome as her work had been, it was a 'labor of love,' cheered by Hope! But the Traffic has tracked its prey, and Despair falls upon the Guardian Genius of the place. Many of the nurses, inspired with her example, proudly shared the honors of her task. Now, they are profligate and abandoned tipplers! Heroines are transformed into sots, and this glorious woman is compelled to resign her charge! Think of the victims in those crowded Hospitals. The fire within, and the heat without! Watch this noble girl moving through lines of the corrupting, blackening, or raving victims of the Traffic. Can we wonder that, at last, her frail frame and brave heart give way? She adds another appeal to those of the sons and daughters of Humanity who have testified before, invoking that country whose official incapacity her heroism has partly redeemed in the eyes of the world, to sweep away those Vultures of Venality who live and fatten upon the moral and physical wreck of our countrymen. In her Divine charity she says, "They know not what they do." Yet the wretched results are there; so that it is equally true that they *will* not know, and the ignoring of a second duty cannot bar responsibility. Banish this deadliest foe of all from your ranks! exclaims this noble lady. Can this appeal fall flat and cold upon the heart of England?\*

§ 26. It seems somewhat curious that the 'Alliance' should be called to exhibit lengthened and formal proof of its principles, when the Publicans themselves admit the fundamental position,

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\* As regards its Soldiers abroad, *No*—as regards its Citizens at home, *Yes*? How a Maine-Law principle succeeds, even amongst a low class, may be seen from the experiment made a few months later. The *Times* Correspondent says (February, 1856):—"The measures taken by General STOKES to abate drunkenness answer uncommonly well. The *prohibition of the sale of spirits* is carried out with the utmost severity, and numberless bottles have been confiscated. Of course, there are continual attempts to elude this vigilance, but the police regulations are so well organized that these contrivances are all short-lived. The other day, the police came on the trace of a rather ingenious and novel method of selling spirits. A vendor set up with two large jars of milk, which found an immense number of customers among the soldiers. The police, rather astonished at this sudden fancy for such a primitive beverage, found that the milk was mixed with a considerable quantity of raki, which explained the whole thing satisfactorily for the authorities, if not for the vendor. *The consequence of these measures is that there is scarcely a case of drunkenness, and that Scutari is thus transformed into the first place, perhaps, where British troops are models of sobriety.* This satisfactory state of things is likewise favorably re-acting on the demand for money orders, and they increase every day rapidly. In Scutari orders for as much as £126 have been issued in one day, and on this side for as much as £169. The sums would have been larger, but the soldiers taking the regulations literally, thought that they could not send more at once than £5, whereas they can send as many five pounds as they choose."

that the Traffic is essentially ‘a Flood-gate of Crime.’ We differ chiefly in the inference deducible, and in the practical application. The insight of the Publicans into this question cannot be denied—as indeed who are better entitled than they, in their serious mood, to tell of the workings of their own Trade? Let us see what they predicate.

In August, 1846, there was a gathering of Birmingham Publicans. The scene was an open Pavilion. “About three hundred sat down,” says the report, “to lusty joints and rosy wine.” Assembled to promote the interests of free drinking, they doubtless drank freely, but the reporter has not told us how many bottles were drained, nor preserved even the fragments of any Pagan Glee in praise of Bacchus and the Wine Butt. Yet was this to be the occasion of a ‘professional’ manifesto! The Chairman of this singular assembly was a Mr SERJEANT ALLEN. He was “*proud* of his connection,” and said “if they are satisfied to go on with him, he is satisfied to go on with them. Ten short years ago” he intimates, they were as Sheep without a Shepherd, ready to be penned and impounded by some of their townsmen, who had made the proposal to promote “the general health and moral benefit” of the people by restricting the causes which destroy them! In this abject condition, doubting their own respectability, and at a time when “the easiest way of becoming *popular* was to attack the rights and principles of the Licensed Victuallers,” Mr SERGEANT ALLEN found them, patted their chins, and bade them look up! “A few met together in a small room, and “these not of the highest order of the trade, but who claimed “*independence* in the exercise of their business.” But the day of small-beer had passed away, and the learned Serjeant “was “gladdened to behold a numerous and respectable body of men “assembled around the festive board.” After this flattering retrospect, he comes out for his clients, like a giant refreshed with gin. “They claimed *Protection* at the hands of the law, to “which they were entitled as well as the members of *any other trade*.” Of course! Hath not a Publican eyes? Hath he not hands? And if the one be assaulted, or the other bound, hath not the Publican the same remedy at law as the public? What, then, do they want? The plain English of it is this—(for they do not plead for Free-trade in Fuddling)—they want the Law, *first*, to grant them a MONOPOLY of the Traffic;—*second*, to impose no more restrictions upon them than upon the baker or the draper;—*third*, to confer the peculiar privilege of Sunday-trading;—*fourth*, to free them from all peculiar responsibility or cost in reference to the issues of their business! This is the ‘independence,’ and these ‘the rights,’ which they demand in their modesty! By-and-by, however, the learned Serjeant shows why the Drink Trade *ought not* to be treated as other trades; and indeed, what means his demand for peculiar privileges, if the

peculiarity of the trade does not furnish peculiar reasons? "He was satisfied of the *indisputable* justice of their cause." Nevertheless, it seems, the justice was in fact *popularly* disputed. "Legislators were (even then) rife in Birmingham, who saw nothing could be done for the general health and moral benefit of the masses, but propounding a *Bill of pains and penalties* against the Licensed Victuallers." Here, then, the recalcitrant Publicans distinctly refuse to be amenable to the State for the consequences of their Traffic, or for the mode of conducting their houses—another reason, why, instead of merely scotching the snake, we should crush out its existence altogether. A traffic that repudiates Law thereby proclaims itself *unlawful*. Further, the obnoxious Bill was on the point of being carried in the Town Council; but just then Birmingham was blessed with a brewing Mayor, who, through his own patriotic casting vote, forming the majority of *one*, threw out the *popular* 'Coercion Bill.' *Many*, says the learned Serjeant, were enlisted in this crusade, "led astray by the *ignis fatuus* of doing good. They brought the claims of pseudo Religion to the contest, and said it was for the religious, as well as for the moral benefit of mankind, that the establishments of Licensed Victuallers should be put down\* —a deep and most injurious fallacy." Presently, however, something very like that alleged fallacy comes out of the advocate's own mouth. "They met together to ask *themselves* the question, whether they were the fosterers of immorality, or the destroyers of the public health?" A very proper question, certainly, but not so unquestionably proper to ask it only of *themselves*.

"Face to face," then, they asked this question, "one of another." Can we wonder at the answer? "It was necessary to vindicate *themselves* from foul imputations." Softly, Mr Serjeant! it is not the person but the *profession* that is in question. And what more? "To assume that *grade* in Society to which they were justly entitled." Exactly—but grades depend on character—and the 'just' place of a *de-grading* trade may not be as pleasant as it is fitting. By all means, then, let the Profession go to its own place. He goes on—"Much of the happiness and well-being of Society at large depended on *their* good conduct." Here's a discovery! Are not the Publicans made such by Act of Parliament? All men are not Publicans—and no man can be one, in the eye of the law, without a legal licence. On the law-made Publican depends the happiness and well-being of Society: *ergo*, Society, after all, is made good and happy by Act of Parliament! "He is invested with certain privileges"—the privilege of vending (with the fatal

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\* The *Alliance* does not object to *Victualling-houses*. Free-trade will best regulate those. The evil springs from *Drink-houses*; and instead of imposing 50 restrictions, as now, it is proposed to have only *one*. This would make the Publican a most reputable and honored servant of Society, as in the Maine-Law States.

interest of multiplying the purchasers of) an article which leads to 3-4ths of our social disorders and crime. As a consequence, he is "invested with high authority, and constituted a *conservator* of the Public Peace," says the learned Serjeant.

Justice WIGHTMAN, in his charge to the Grand Jury at the Liverpool Assizes, on the 17th of the same month of August, stated that "one unfailing cause for four-fifths of the offences in every Calendar, was the besetting sin of drunkenness. In *'almost all the cases of violence to the person, the scene was a public-house or a beershop.'*"

The law, therefore, first creates the profession which creates crime, and second, with a foresight and admission of the fact, appoints the Publican to be a kind of Tavern Constable to prevent it!—nominally holding him responsible for the consequence. The Publican now asks for the honor of the appointment to give him 'respectability,' but declines even the nominal *responsibility*! He then rehearses, "The *very terms* of their licence. 'To your charge and care we commit the order and conduct of the People in your houses, and you are responsible for them.' *'What other class of men,'* continues the Orator, "are charged with a similar responsibility?" Why then compare their trade with 'other trades'? The 'very terms of the license' assume that the Man licensed to carry on the trade, is exposed to strong temptations to foster practices imimical to social welfare, but profitable to himself. The production of certificates of character, and the conditions against the allowance of tippling, place their licence out of the category of mere *fiscal* arrangements. The Serjeant proceeds with his pointed questions, which almost bear the aspect of sarcasm. "What other class of men are responsible for the regularity and good conduct of the *'persons within their walls'*?" This question should have been supplemented with another—What other class of traders *need* to be made responsible for the conduct of their customers within their shops?—and the vital difference between the evil and the good traffic would at once have become apparent. No other class of men are even nominally responsible in this way for *persons*—but only for things. A dealer in gunpowder, for instance, must neither make his article *where* he pleases, nor convey it *as* he pleases. The common carrier, or the Railway Superintendent, must not put a barrel of it in the train in which I travel. And why? BECAUSE THE ARTICLE IS DANGEROUS, and its whereabouts is, therefore, a matter to be looked at and regulated.\* From the very nature of the case, however, the Publican's trade is dangerous in *all places* and at *all times*. Without customers there is no trade; and where the customers are, *there* is the danger. Exorcise the 'Evil Spirit,' by the wand of the Maine Law, and Public-houses become innocent *as* others. The Law

\* Vide last clause of Sheriff WISE's testimony. ¶ 29.

and the Licensed Victuallers, then, agree in regarding the Traffic as essentially evil: else *why* all these curbs and conditions? Why are some persons bound over in heavy recognizances to keep the peace? Why are madmen placed under strong restraints? Why is the machinery of a factory so carefully boxed off? *Because there is absolute danger.* And not less is the State of the Law an emphatic declaration of the mischievous character of the Traffic. The peculiar surveillance under which Licensed Houses are placed, declares them to be, in the eye of the Law, a DANGEROUS INSTITUTION. So dangerous, says Serjeant ALLEN, that, "were the Trade thrown open, that moment it would be "abandoned by men of reputation and character"! In plain English, the Traffic is so inherently and tremendously evil, that, by the Publicans' own confession, if left free, like other trades, it would become insufferable to any reputable Boniface? It is, therefore, not good in itself, but barely tolerable under the restraining influence and virtue of the Licensed Vintners! The learned gentleman admitted that there was 'a great gulf' between the Jerry-lord and the Gin-spinner, between the Aristocracy of Alcohol and the Democracy of Drimk. To sell beer alone, is low and degrading—but to sell Beer with Brandy quite respectable and elevating! To try the real merits of a system, however, we should permit it to act freely. Is not that the *merit* of Free Trade? and if so, why not of this trade in particular? The Serjeant shall answer:—"After a five years' experiment of an open trade, he should like to see the house wherein "a man could safely lay down his head in the *assurance* of the "safety of his life and property." Here is the confession of

"Something rotten in the State of Denmark"—

a confession that the Traffic is corrupt at the core—that its 'good' is only the good of limited mischief—that it is so peculiar that public safety imperiously requires it to be reduced to a minimized monopoly.

§ 27. The 'Licensed Victuallers' Protection Society,' in its Annual Report for 1854, recently published in the *Morning Advertiser*, undisguisedly avows the same truth. We give the exact words:—

"Your committee are anxious that this opinion should "embue the Public mind, and that every part of the Community should *feel* and *say*, that to throw open the Trade would "be to throw open the *floodgates* of vice and drunkenness, which "would have the effect of counteracting the efforts made to "instruct and elevate the People of the land."

We *do* feel and say this, and even rejoice that the committee of the Publicans' Protection Society should feel and say this—but the 'Alliance,' as the *Public's* Protection Society, feel and say something more—namely, that the *Licensed Drinking System* extant to-day, is the greatest calamity which afflicts our country.

Our horror of the *wide-open* Floodgates of crime in the perspective, cannot make us forget the *partly-open* gates of License which already inundate the land with an amount of pauperism, licentiousness, and crime that *even now* counteracts the efforts put forth by the earnest and the good for the improvement of the people, and who can be *wise* as well as good only by going to the root of the evil, and *removing* that which frustrates endeavor and saddens hope !

This brings us to some other remarkable proofs of the proposition that the facilities for drinking measure the drunkenness of a people ; a proposition which the Publicans of Birmingham lately put on record at a public meeting of their body, as their matured opinion :—

“ That it is clearly shown by Parliamentary returns, that *vice and drunkenness are in proportion to the number of public-houses, and to the facilities for obtaining intoxicating drink.*”

The conscientious reader will ask, how then can any moral men keep such places as drink-shops, admitted by the Keepers thereof to be the certain nurseries of national profligacy, and the sure index of its extent ? The answer is at hand, and opens out a deplorable view of the selfishness and iniquity of the system. Free-trade in drink was looming in' the distance (the Maine-Law further behind) ; and, in their spasmodic alarm at the chance of early losing their present Monopoly of Mischief, they turn patriotic and moral, hunt up the damning facts which demonstrate the true character of the Trade by its issues, and force them before the Parliamentary Committee on Public Houses. We trust the truth elicited will yet flash conviction on the national mind.

§ 28. In the Parliamentary Committee (17th June, 1853), Mr HENRY DANSON, Beer-agent, and representative of 500 Liverpool Publicans, gives evidence on the point under discussion.\*

“ 4599. I suppose it is the interest of every Publican to get as much custom as he can ?—Certainly, in a respectable manner, as any other tradesman.

“ 4605. Are there any Magistrates upon the bench who want to encourage Temperance in the peculiar way that the Societies called Temperance Societies do ?—I do not know of any.—I think they are of the *substantial class who overlook those foolish notions.*

\* In that Committee the chairman, the Right Honorable C. P. VILLIERS, Judge Advocate, did infinite honor to his name and his antecedent labors in the cause of humanity, combining the suavity and dignity of the true gentleman with the sagacity and acuteness of the Lawyer and the Judge. He was the only man on the Committee who showed a thorough master of the subject, and to his judicious questions the public are indebted for eliciting the most important evidence, and for keeping the true issues constantly in sight. The manner also in which he sifted facts out of pompous imbecility in the Berkeley Committee (where the Report is in flat contradiction to the evidence), is both instructive and amusing. All-through he quietly insists upon the principle that *opinion was valuable only for its ground in fact*; and thus he makes even Bluster refute itself. We could not avoid this passing tribute to the Chairman of the first Committee.

"4629. Are you aware at all of the comparative amount of drunkenness between Liverpool and Manchester?—I do not understand how you put the question.

"4630. What is the comparative character of the two towns for drunkenness of the population?—I have a statement here which I believe to be virtually correct. In Dublin there is one out of every 21 of the population.

"4631. *Chairman*: Convicted of drunkenness?—Yes; in Glasgow one in 22; in Edinburgh, one in 59; in Liverpool, one in 91; in London one in 106; Birmingham, one in 313; and Manchester one in 600.\* In the first three places, Dublin, Glasgow, and Edinburgh, there is the *free*-licensing system, where it is sold from Grocer's shops or any other place. Manchester is the largest population of the kingdom with the *smallest number of [Spirit] licences, and consequently, the smallest number of drunken persons.*

"4675. *Chairman*: Is the return which you have made, for the *purpose of showing that the greater the facility for selling spirits, the more is the drunkenness?*—Yes."

§ 29. Mr Alderman WIRE, sheriff of London, gave most valuable evidence on this topic: and, we believe, was both frank and conscientious. A few passages must be reproduced:—

"10053. *Mr W. Brown*: I do not mean to ask you an offensive question. Do you appear here as a volunteer witness to defend the principles you yourself entertain?—I told you before, and I set out by saying, that I come here as the Solicitor to the Licensed Victuallers' body. I also added, that nothing on earth would induce me to come before the Committee to state opinions I did not most conscientiously entertain; and I think I have had greater opportunities than most men for ascertaining both what is the feeling of the publicans, and what is *the working of the system*.

"10190. If the trade were thrown open?—In the end *public morals would be outraged*. You will find that no publican, no assembly, no large number of Englishmen, have asked that the licence system should be destroyed, + and the trade thrown open [Instead]. If there is any thing that they desire more than another, it is *that there may be greater restriction*. I am anxious to add, that the Licensed Victuallers of London desire the assistance of the Police in clearing their houses.

"4964. Do you say that the disposition to drink spirits has rather declined?—Very greatly.

"4965. And not owing to less opportunity of getting spirits, or from spirits being dear, but from an improvement in the moral habits of the people?—Yes.

"4966. And if there was a greater temptation offered, their improved habits would induce them not to accede to it?—*I think the more temptation you put in the way, the larger would be the consumption.*"

Mr WIRE, as it seems to us, adopts a sound view of the facts. Hence we said, the facilities will measure the drunkenness, *other things being the same*. The Traffic has a corrupting ten-

\* All this must be taken with reservation. In Manchester, for example, the Police are instructed to 'bring up' only the *disorderly* drunkards; the rest are led home. Mr DANSON, again, omits all notice of 1,312 Beerhouses. The proportion of drunkenness to population in Liverpool is 1 in 20—not one in 91: which is, however, may be a *misprint* for 1 in 19, by transposition of figures. Liverpool is as bad as Glasgow. In Manchester, again, the 'foolish notions' of Temperance have greatly prevailed.

+ This is only *true* when qualified by what follows. Vast assemblies in Exeter Hall, Birmingham Town Hall, in Manchester Free Trade Hall, and other places, have asked for *Prohibition* or *Proscription*.

dency; but, on the other hand, knowledge and culture, and especially temperance knowledge specifically bearing on the point, have a *counteracting* influence, and where they do not triumph they may restrain. Alter the conditions of the problem—add more objective temptation, or produce less subjective culture and antagonistic conviction, which is certain to be the case in the second generation—and the issue varies.

“4968. Still they (the people) drink less spirits, do they not?—*The more the temptation is removed, the less will be consumed.*”

“4969. [But] you refer it to some cause acting on their habits?—I refer it to *all* the causes that have been operating on the habits of the people. We cannot shut our eyes to the fact, that the progress of education, the diffusion of knowledge, the opening of Mechanics’ Institutions, of free Libraries and Lecture rooms, and a variety of other things, have, no doubt, *tended*. I think, if you place temptation in the way of the people, by granting licences indiscriminately, you will do a great deal to destroy those other and better influences which are prevailing amongst the people.

“4973. Will you explain what you meant by the increase being a temptation?—I mean, if you licence more public-houses than *what is called* ‘Public-necessity’ requires, you immediately *open the temptation for the people to go there and drink.*”

“4974. Are not the public better judges of the want of Publicans than the Magistrates?—I should say it was *not so.*”

“Why?—You know the publican has not only his own interest to look to, but he is compelled [by the theory of the law] to look to the interests of the public [as regards the fruits of the traffic]; and you will at once see that a person who is licensed as a publican, ought to have a district assigned to him, which will give him a *legitimate* trade, BECAUSE HE DEALS IN A DANGEROUS ARTICLE.”

Thus will the truth turn up! The Alliance, however, draws another kind of inference, viz., that *no* person should be licensed as a publican, or have any district assigned to him, however small, because, *to deal out a dangerous article at all*, is a most illegitimate trade.

### § 30. The fact of facility for drinking measuring popular

\* It should be borne in mind that the outside, dram-shop facility, is only *one* form of temptation. Within the last twelve years *Spirits* have been banished from the Tables and Sideboards of tens of thousands of families. The proposition, therefore, accords with the facts, inversely stated. *That is, some temptations being lessened, Drunkenness is lessened.* It was from overlooking, for the occasion, the counteracting influences, that *The Times*, of Jan. 8, 1855, in its leader against the principles of ‘The Alliance,’ forged the following fallacy:—

“NATIONAL drunkenness is not *caused* by cheapness, or prevented by dearness.

“For the soberest classes are undoubtedly those to whom the price of liquor is a matter of indifference.”

To which we reply, first, a *nation’s* drunkenness cannot be disproved by the sobriety of a *class*: nor, therefore, anything as to the *cause* of that drunkenness. A pure class may exist in an impure nation, as a Church amidst iniquity, but that only proves a *cause* of goodness in the *class* resisting evil; not that the *nation* is NOT corrupted by a special agency. Thus, physically, a *class* may be exempt from miasmatic poison, while the masses suffer. Second, no one contends that the simple element of *accessibility* must, by some metaphysical connection, *cause* all men and all classes equally to drink. What is affirmed is, that, *et-teris-prius*, facilities for drinking will be found to *promote* drunkenness. Even the richest men regulate their purchases by price: but *other* considerations may of course limit.

drunkenness, is shown in another way, both negatively and positively. We refer to the greater drunkenness of Sunday, as compared with any ordinary day ; and to the gratifying decrease of cases of drunkenness on the Sabbath and Monday mornings since the *partial* closing of Public-houses on Sunday in England, and the *total* closing of them for the sale of liquors in Scotland. Two or three testimonies must suffice as regards Scotland. The Rev. BERKELEY ADDISON, M.A., late of Edinburgh, in his tract on the subject, testifies—“That drunkenness has been expelled from our crowded streets on Sabbath evenings, and a propriety of demeanor on the part of the public, and a calmness strangely contrasting with what was once customary, have succeeded.”

The late Lord Provost of Edinburgh, DUNCAN McLAREN, in his admirable letters to the *Times*, has shown that the act has reduced Sunday offences, in Edinburgh, 75 per cent ; emptied the cells of the prison ; postponed the necessity for a new gaol, thereby saving the city £12,000 ; and, in Scotland at large, reduced the consumption of spirits 957,830 gallons, or *one-seventh of the whole* !

The late Lord Provost of Glasgow has published the following returns relative to that city, showing the number of persons taken into custody from 3 A.M. of Sunday, till 10 A.M. of Monday, charged with being drunk and incapable, drunk and disorderly, and drunk and criminal otherwise.

					Total.
June, July, and August, 1851.....	514	males.....	137	females...	651
” ” 1852....	466	” .....	107	” ..	573
” ” 1853....	418	” .....	93	” ..	311
” ” 1854....	171	” .....	52	” ..	223

The decrease in PUBLIC HOUSES during the year 1855-6, in DUNDEE, was 118 ; the corresponding decrease in the whole number of cases brought before the Police Court, nearly 1,000 ; of cases of drunken disorder, 611.

It has been during the operation of the English Act for the last few years, contemporaneously with the moral suasion of the temperance reformers, that the comparative amount of drunkenness has been lessening. The following document (of the date of 1854) signed by Dr W. F. HOOK, vicar, the Rev. W. SINCLAIR, and fifty-five other clergymen, expresses an important truth, and is, at the same time, valuable testimony from reflecting men :—

To the Honorable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled :

The Petition of the undersigned, Clergy in the Rural Deanery of Leeds.

HUMBLY SHEWETH,

That the opening of public-houses and beer-shops on any part of the Lord's Day, according to the present practice, *altires great numbers of the working classes from the worship of Almighty God*, producing ignorance of religion, and neglect of its duties.

*That the Lord's Day being the day of leisure for the working classes, is that on which they are peculiarly exposed to temptations of this nature.*

*That the statistics of crime clearly prove that the general sale of intoxicating drinks on the Lord's day is a prolific source of crime and demoralization.*

*That the partial restrictions placed upon the opening of public-houses and beer-shops on the Lord's Day of late years, have been invariably followed by a striking diminution in the number of committals for offences of all kinds.\**

Your petitioners, therefore, humbly pray your Honorable House to enact a law which shall close public-houses and beer-shops during the *whole of the Lord's Day*, except to lodgers and *bona fide* travellers.

And your petitioners, as in duty bound, will ever pray, etc.

The evidence of both the recent Parliamentary Committees fully substantiates these positions, but it is hardly necessary that we should occupy space by illustrating a mere fragment of the 'Alliance' doctrine. It is enough that we insist on the fact, that, since legislation *on religion, as such*, is clearly beyond the true scope of earthly governments, the principle which leads to the total prohibition of the Liquor Traffic on the first day of the week, must, if consistently carried out, terminate in a Maine Law, which shall protect us from its consequences during the other six. Even as a question of degree of mischief, there is a five times stronger reason for a Prohibitory Law on the six working days, than for such a law applicable *only* to the Sabbath. First, because the debauchery and crime of the week traceable to the Traffic outweigh by five to one that of the single day,—and second, because the week-day prohibition can alone give full efficiency to that of the Sabbath, by removing the material instrument and pecuniary motive of evasion and temptation, and refusing to the appetite of the drinker week-day facilities for feeding it.

§ 31. An elaborate proof of the principles of the 'Alliance' might be almost superseded by the report of the proceedings at any of the *Brewsters' Sessions* in our large towns; for, either by the Magistrates, the Publicans, or the Parishioners, the chief facts and propositions are brought out. Take, by way of sample, from the *Leeds Mercury*, of August 30, 1855, the account of the proceedings at the Brewster Sessions for that borough, held on the preceding day.

1st. *Forty-three* licences were suspended for violations of

\* In the *Metropolitan districts* the effect of the partial prohibition was immediately visible in the diminished number of persons taken into custody on *Sunday*; the *Journal of the Statistical Society* (vol. iv. p. 268), showing, that 981 persons less were apprehended on *Sunday* during five months in 1840, than in the corresponding five months previous to the passing of the Act. In *Bristol* the average of apprehensions for the three years before the Act (1818) was—misdemeanors, 2,415; drunkenness, 584; but for three years since the Act—misdemeanors, 1,560; drunkenness, 374. At *Leeds*, the returns of those who have been in custody as drunken and disorderly characters, give an average per annum for three years prior to the Act, of 423; since, of 341. In *Manchester*, where the Act came into operation in 1846, the average per annum for all offences committed, for three years before the Act, 10,828; since, 5,850. (See § 56.)

their terms and conditions, and other breaches of the law. Forty-three out of three hundred and eighty-two—or more than 10 per cent, even in one of the best conducted towns in the kingdom! The Mayor observed: “We have it in evidence that several of them, selling spirits by retail, are frequented by convicted thieves, by *numbers of prostitutes*, and by various other dissolute and bad characters. Within certain houses *young men and young women are allowed to assemble in the evening*; and during the day young men are permitted to go into certain Public-houses, *where they play at cards and dice*.<sup>\*</sup>

2nd. A deputation of the clergy and gentlemen of the town then presented a memorial against any *new* licences, signed by 54 ministers, 17 town missionaries, 9 medical men, 2 editors, 50 merchants, bankers, and manufacturers, and 700 tradesmen and householders of great respectability. The Rev. E. JACKSON, M.A., observed “that the trade was not left to the ordinary laws of demand and supply; but the number of public-houses was left to be regulated by the Magistrates. There was in Leeds one such house for every 100 adult persons! It was a serious fact, that the increase of places of this kind brought with it, invariably, an increase of temptation—that each open door was a fresh call to turn in—and that the increase of drinking was the increase of an enormous evil, which crowds our workhouses, fills our prisons, freights our convict ships, and peoples our colonies with

\* It is a fact that we have in Public-houses, licensed by law and magistrates, twenty times more real *gambling-houses* and *betting houses* than have been put down by special Acts of Parliament. A local illustration of the invertebrate and ineradicable character of the Traffic is furnished in the *Life of William Hey*, F.R.S., the celebrated surgeon, and twice Mayor of Leeds:—

“The crime of drunkenness and its never failing concomitants were at this time (1787) prevalent to an alarming degree, and while his heart was filled with horror at the contemplation of scenes daily brought under his cognizance, it determined this truly *Christian Magistrate* to resist them with all the power and authority the law could confer. No sooner had the new Mayor commenced an attack on the *citadels of vice*, than all their garrisons were up in arms. The outcry was very great among those in particular who expected their *profits* to be diminished. Anonymous letters of the most scurrilous description were among the secret means employed to deter him; and actions at law not only threatened, but actually instituted against himself and the constables. In one of these, the plaintiff obtained a verdict at the Spring Assizes at York, in 1788. It seems, on resisting the constables sent to apprehend him, the latter had used more force than was necessary. But the Judge seems to have left the jury little room for exercising their own discretion, if, in summing up, the observations are correctly minuted by both the counsel for defendant, such as—‘These Constables are of the reforming kind: *Reformation generally produces greater evils than those it attempts to redress.*’

“Mr. Hey, after these actions, had a meeting with the Publicans within the borough, against whom proceedings had been instituted for permitting tippling. A Memorandum shows the part he was determined to act. ‘Obtain an explicit promise, *not to suffer tippling on any part of the Lord’s Day*. To suffer the constables *quietly to visit* their houses. [‘Treating’ police is now the plan.] The law extends to week days, and will be put in execution in case of *fraud* or *irregularity*. Defendants to declare that they desire all proceedings to be stopped, and request to pay costs. Promise to *regulate* the country ale-houses.’

Sixty-eight years have passed since these memoranda were made—and yet the last Mayor of Leeds had to complain of the same evils. Publicans, as a class, will not submit to Law, all the *old* laws they flout or ignore, and all proposed *new* laws they resist.

criminals. It was a matter for the consideration of magistrates, whether they should, without absolute necessity, increase the evil, *which was almost intolerable already*. All the (21) applicants were now Beerhouse keepers, and if the Bench admitted beerhouses, year after year, into the number of the houses licensed to sell spirits, they would be holding out an inducement to persons to open beerhouses for the purpose of obtaining spirit licences. Of his own knowledge many *young persons* had been led into these houses who would not, in the first instance, have ventured into Taverns ; and the consequence had been that their friends had now to lament their ruin."

3rd. Two lawyers then, on behalf of the owners or occupiers of two Inns respectively, opposed the granting of licences to a Coffee-house and a Beerhouse in the neighbourhood of their client's property.\* Nineteen out of the twenty-one applications were refused.

Here we find the distinct acknowledgment, *first*, of special evils and temptations connected with the Traffic, leading to drinking and debauchery, and of an extent of abuse far exceeding the proportion found in other trades ; *second*, of the absolute need of police surveillance, even to restrict within tolerable bounds the evils of the system ; *third*, of the peculiar character of the traffic as ever tending to increase instead of satisfying demand ; *fourth*, of its invariable effect in encouraging by the sale of the weaker drink, a demand for the stronger ; *fifth*, of its contrast to legitimate callings, proved by the fact that while a thriving trade, and an increased number of successful bakers, butchers, grocers, drapers, tailors, and shoemakers, would be regarded as infallibly indicative of industrial, individual, and social prosperity—a thriving Drink Trade, or a large increase of Drink-sellers, is deprecated as contributing to the crimes and misery of the community.

§ 32. Perhaps one of the most striking proofs of this opinion, and of its collateral propositions, is furnished by the 'Report to the General Assembly of the Church of Scotland by their Committee for the Suppression of Intemperance, 31st May, 1849.' It is a volume of 200 pages (printed at the expense of JOHN HOPE, Esq., W.S., of Edinburgh), and contains returns relative to the social and religious condition of the 478 parishes of Scotland, furnished by the Parish Ministers respectively. The answers have reference to five enquiries—viz. :

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\* How curious that the Traficker in Drink should have the privilege of objecting to his neighbour's setting up the same business as himself ! What would be thought, were a Draper or a Shoemaker to appear before our justices to insist on the *impropriety, danger, or needlessness* of another of his craft opening a shop in the same street ? Society, which exists for protecting the *free action* of other Traders, is here sitting in judgment upon the Drunk-traders, surrounding them with checks, and limiting their sphere of operation.

I. What *classes* are most addicted to intemperance, and their ages ?

II. What *circumstances* promote the formation and indulgence of intemperate habits ?

III. What are the *consequences* of drinking, socially and morally considered ?

IV. What *change* is observable, for better or worse, and to what referrible ?

V. What *counteractives*, tried, have been most efficacious ? or, not tried, seem advisable ?

The following facts, amongst others, are established by these important returns :—

*First.*—That the *absence* of Public-houses in a district, or their extreme rarity, is accompanied by an almost total absence of drinking, and its results.

*Second.*—That the *presence* of many Public-houses is attended by the presence of much drinking, and its sequential evils.

*Third.*—That the *increase* of Public-houses, or other facilities for drinking, is followed by a proportionate increase of drunkenness and debauchery.

*Fourth.*—That the suppression, or *decrease*, of Public-houses or Dramshops, or the *diminishing* by other means of the facilities for drinking, is followed by a corresponding improvement in the drinking habits and morals of the population.

§ 33. About 34 parishes have returns like the following :—

No. 6.—The inhabitants of this parish are remarkable for sobriety. There has not been a public-house for upwards of 20 years.

No. 13.—Since my induction [six years before], I have not met one parishioner in a state of intoxication. There is only one public-house in the parish, *others having been suppressed*.

No. 15.—We have no habitual drunkards that I ever heard of. There is not a single public-house in the parish.

No. 17.—A case of intemperance is of the rarest occurrence. There is no public-house either in the principal village, or in the smaller ones in other parts.

No. 20.—The people are of decidedly temperate habits. There is not, within miles, any public-house or place where spirituous liquors may be obtained.

No. 21.—The people are, *generally*, very temperate in their habits. We have a small public-house in our village, for the accommodation of travellers; the tenant is a respectable man; his business is confined to the persons for whom it is designed.

No. 30.—I know not of a single individual of whom I ever heard it alleged that habits of intemperance were characteristic. There is only one inn for the refreshment of travellers. The *landlord* is himself a member of the Temperance Society.

§ 34. There are returns from a large proportion of the whole to the following purpose :—

No. 2.—Intemperance is very great. The multitude of licensed houses, and the cheapness of spirits, lead to the vice.

No. 3.—The two strongest temptations to continue the abominable

practice are half-yearly markets for engaging servants, and shops for retailing spirits, under what is called a *Victuallers' licence*, where spirits are sold at a reduced price, and drunk in the shop.

No. 5.—The classes most addicted to intemperance are colliers, miners, and furnace-keepers. In the face of the most earnest remonstrances to the Justices, the number of licensed houses is continually increased.

No. 14.—Too many of both sexes, and all ages, are addicted to intemperance. A drinking accommodation to each 55 of the inhabitants of all ages. Many painful circumstances—death by suicide, and other woeful results—call loudly for the intervention of means to stem the tide of intemperance. It is notorious that spirits can be had, and obtained with facility, on the Lord's Day. Were the number of licences diminished, this would be an obvious method of diminishing intemperance.

No. 19.—Intemperance prevails *much* in this parish. The number of drinking-houses is absurdly, and lamentably, and most mischievously great.

No. 301.—Habits of dram drinking are very general among the peasantry of every grade. The number of public-houses is a great cause of the evil. The publican is a **PUBLIC TEMPTER TO DRUNKENNESS**.

§ 35. Large numbers of the returns are of the following description :—

No. 28.—Frequent acts of intoxication are occurring, chiefly among the common class of farmers, mechanics, and operatives. Facilities of getting ardent spirits lead to the formation of intemperate habits. Mr — notices the *formation* of drinking-habits among the young men, *when they meet* either for recreation, or when waiting for some piece of work, *in the neighbourhood of public-houses*.\* Mr — refers, with earnest approbation, to the movement by the Synod of — for *suppressing* public-houses.

No. 29.—One of the chief causes of the prevalence of intemperate habits, is the *multiplication* of public-houses.

No. 34.—The too great *facility* of obtaining intoxicating drinks, from its cheapness and the number of those licensed to sell it. It is not at any kind of private social meetings, so much as in public-houses and dram-shops, and at markets, that drinking most prevails..... About three years ago the formation of the — Railway commenced, and brought a large number of dissipated laborers (generally English). Their evil example, and *high wages*, had a demoralizing effect. *The greater number of those given to drinking*, who joined the Temperance Society, have broken off.

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\* The formal objection that these two classes of facts establish no connection between Public facilities and drunkenness, virtually assumes that *Public-houses are no temptation*—that is, affirm what nobody believes, because contrary to every day's experience. Certainly, if people did not *drink* what is sold, they would only lose their cash—not themselves—and so, if people at a gambling-house did not *play* with the cards or dice, they would *not* lose their money—but men visiting at one place are tempted to drink, and at the other are tempted to play—notwithstanding the metaphysical truism. The fact is, that the majority of the visitors at Drinking-houses, or Gambling-houses, do not visit them *because* they think those places Right and Good,—or because they do *not know* that drink and play are dangerous, or even bad—but because they have been entrapped or trained into that special pleasure. *It is custom, automatic habit, and social temptation, that keep men in thrall, in spite of their better judgment.* The moral will is at last superseded by impulsive appetite: and he who desires its re-establishment, must remove that hindrance which is stronger than any direct power of moral suasion. Those who break away permanently are the exceptions, not the rule. Out of ten drinkers who manifest a desire to escape the thrall by signing the Temperance pledge, eight at the least are eventually drawn back into the whirlpool of the Traffic or the vortex of the Drinking customs.

No. 46.—One of the chief causes of intemperance is the number of public-houses, and the *facility of obtaining* [and consequent increase] of licences.

No. 61.—It cannot be said that intemperance is confined to any class or to any age. Smooking seems to be, here, as everywhere, a stimulus to drinking. There was a great change for the better up to within a year ago, because the spirit-shop was suppressed by —. Unfortunately, his son has thought proper to revive it, and, from all I can see, the *re-opening of that public-house is doing much mischief*. One of the best methods of suppressing intemperance, in country parishes, is to diminish the number of public-houses, and *put the people less in the way of temptation*.

No. 68.—The miners [intemperate; high wages] gathered to work the iron stone recently discovered. Notwithstanding very many remonstrances, the Justices allow too many facilities for obtaining licences. *Increase of licences is followed by increase of drinking, etc.* Dr — adds that the Company's miners are remarkable for sobriety of deportment, and they are paid their wages on Monday afternoon, whereas the [other] miners are paid on Saturday.

No. 76.—It (intemperance) is promoted by irregularly kept public houses, and is practised especially on Saturday, Sabbath, Monday, and Tuesday. Any observable change is not for the better. The counteractive *not tried* are the deprivation of licences.

No. 180.—High wages (promote intemperance) paid at distant intervals. The time (of drinking) end of the week, particularly pay-day. Cannot report improvement. (Remedies) tried, ineffectual. Temperance societies and pledges have not reformed *one* drunkard here. We recommend—1st, payment of wages once a week, in the beginning or middle; 2nd, a greater reserve in giving licences, and a *total prohibition* of the sale of spirits on the Sabbath.

No. 241.—I am afraid that, instead of getting better, the working-classes are becoming worse. The very worst of all provocations are, the practices common at our public markets [i.e. selling, offering, and buying drink], and the *excessive competition* among publicans, who actually employ men to inveigle drinkers.

No. 288.—The intemperate are among the laboring class, from 30 upwards. It is promoted by the number of licensed public-houses. The face of the public has been set, for some time back, against the number of public-houses, and the authorities are resolved to diminish their number.

No. 306.—The most common times of intemperance are Saturday and Sabbath. The number of public-houses is the cause of intemperance, to a great extent. In by far the greater number of cases, it is *their vicinity to these dens of sin*, and the enticements which they hold out to them, that are the causes of the ruin of drunkards. There is one (counteractive) I long to see tried—the putting down 9-10ths of the Public-houses. [But why leave even *one* nest of sin?]

No. 309.—The keepers of public-houses—most of whom here are slaves to this degrading vice. In the case of the *keepers* of public-houses, the cause of the evil is sufficiently obvious. The farm-servants who drink here are ruined by the number of *dram-shops*. As to what should be done, we are pretty much at one, hereabouts. We should have fewer public-houses.

No. 328.—One great cause [of intemperance] is the *facility with which drink can be obtained*. There are three public-houses here, where there is no use for one.

No. 355.—Among men in business, more victims than in any other class. Even *children* have died from drink. It is promoted by—1st, by the too great facility in obtaining licences. 2nd, the unfaithfulness of the Excise in not suppressing unlicensed houses. 3rd, Marketing. 4th, Social meet-

ings. About 1830, an abstinence society was formed—a third of the adults joined it—drinking was given up—*many* public-houses abandoned. [*Alas, the legalized nest eggs were left!*] But now matters are as bad, if not worse than ever, and more whisky is now drunk than for the last 20 years—a great reproach not only to the country, but to the churches.

No. 390.—Remarkable for sobriety. A public-house was opened, six years ago, in a central part of this parish; and the inhabitants, *and more especially those who had resorted thither*, complained to me of THE TRAP that had been laid for them. The public-house was suppressed at Whit-sunday last.

No. 405.—Many of the public-houses are little better than TRAPS for thoughtless youth—where youngsters, from 15 to 19, congregate to drink and play cards.

No. 413.—The classes most addicted are those engaged in the Traffic, or who have friends engaged in it. Licensing toll-bars most iniquitous. I cannot regard low public-houses in general as anything else than *Licensed Dens of Iniquity*.

No. 430.—I may mention, having been formerly missionary in that district, that a most interesting parish, with a large population, *has been extensively injured by the opening of a spirit-shop and ale-house*, to which the young men resort in the winter evenings."

§ 36. Again, we have abundance of facts, illustrating the power of legal suppression and prohibition, and showing that the truth is not dependent upon experiments in Maine.

No. 22.—We have procured the *entire removal* of spirit licences from this parish: and this we consider, under God, as the *cause* of the extremely temperate character of our people, *which was not the case when we had two of these legal abominations*.

No. 26.—In many of the Road Trusts, licences to sell spirits are *withdrawn* from the Toll-bars, *with the happiest results*.

No. 29.—One of the chief causes of the prevalence of intemperate habits, is the inexcusable multiplication of Public-houses. Lately, there has been some improvement here *from the suppression of one of the Public-houses*.

No. 32.—Few places have changed so much for the better. The causes of this improvement have been—1st, The increased appliance of Christianity; 2nd, Of late years the *putting down* of ill-kept public-houses, the suppression of the means of vice.

No. 35.—It is matter of gratitude that a change for the better has taken place—referable, 1st, To the disbanding of volunteer and yeomanry corps. 2nd, *To the suppression of smuggling, etc.*

No. 40.—Four public-houses (with a population of 1400). The *abolition of a fifth has removed a fertile source of village temptation*.

No. 41.—I have rarely known one Benefit Society Wake to pass, without some shocking, if not fatal casualty. Even as many as *three* deaths from drunkenness at one of them. Thirteen houses licensed for the sale of ardent spirits. The quantity now consumed is far less than it was some years ago. There are five public-houses *fewer* now. At the request of the Justices, Mr —— reported upon the state of the public-houses, and marked those he thought should be suppressed, which, perhaps, has led to the number being reduced.

No. 49.—I think the changes are for the better. The Factor of —— has so far limited the number of licences, that in this parish (30 miles long) we have only six inns and public-houses.

No. 73.—From the *suppression of smuggling*, a change for the better has taken place.

No. 117.—At present there is no person remarkably addicted to intemperance. Some years ago I succeeded, *amid great opposition*, in suppressing a whisky-shop close to the church, *and the result has been a great increase of order and comfort.*

No. 122.—I think this parish comparatively free from intemperance. The remark applies to all classes. The *Proprietors* have not allowed any licensed house for years. *Once the Grocer's shop was a public-house, and a great nuisance*; but since that was stopped, there has been a *decided improvement*, proving the fallacy of the objection, that if one door is closed, those who want drink will have it somewhere else.\*

No. 148.—The recent act, preventing public-houses being opened till after noon on Sabbath, has had some effect in checking intemperance.

No. 154.—I have seen *intemperate* persons quite regular in attendance upon public worship. Experience has proved the *ineffectual* of Mathew's pledge; and I expect no better result from any other human expedient. [But] I petitioned with success, *for the limitation of the number of public-houses*. The number has been reduced. *There is less intemperance than there was 15 years ago.*

No. 159.—*Decided benefit* has resulted from the *suppression of useless public-houses.*

No. 162.—*A great improvement* of late years—referable to—1st, *The abolition of a small and ill-regulated public-house.* 2nd, The institution of a temperance society.

No. 168.—In this place meetings for card-playing and drinking are frequent. There are from 20 to 30 licensed houses for 1850 persons!

The magistrates forbade the sale of spirits at markets, after four o'clock, *which has done much good.*

*Counteractives.* In the country, abolish all out-of-the-way drinking houses. In villages, take the licences from Grocers and Druggists, etc.

No. 190.—Mr —— refers to the influence used by the Synod, and successfully, for reducing the number of public-houses; and adds, were the licences made higher, *the benefit would be greater.*

No. 194.—The public-house, to which some of the farm-servants used to go, has been *put down*, and I have not heard of any case of intemperance among them since.

No. 209.—There is certainly less (drinking) of late, owing to the exertions of ——; the public-houses have been reduced.

No. 221.—The number of public-houses I consider to be *the chief snares, and most certain means, of encouraging the vice.*

A decided change for the better. ... We have sought by every means to lessen the number of public-houses: in some districts with success.

No. 230.—The people much more temperate, since smuggling was annihilated. As counteractives—preaching against the vice—denying licences to those who would open *SHOPS OF TEMPTATION*, are recommended.

No. 235.—A change for the better, in great measure referable to the curtailing the number of public-houses.

No. 238.—When smuggling was put down, intemperance was checked; and the *poverty and famine*, lately, has effectually prevented it.

No. 251.—Of late, *a marked improvement*. Regulations for early striking the Drinking tents, at feasting markets, have done good. *Two or three public-houses* have been put down; but there is need of some measure being pressed, making it *imperative* for the Justice of Peace Court to regard the spiritual well-being of the neighbourhood in granting licences.

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\* There is a vast difference between *seeking* temptation and having temptation thrust upon you at every step. The working classes are *virtuous in their impulses*, but weak in their *wills*, and would gladly see the 'Traps' closed up for ever.

No. 256.—Change for the better. The counteractives tried are—the diminishing of public-houses; supporting a Mechanics' Institute, etc.

No. 267.—The evil does not prevail to any great extent, where it does, chiefly among the working classes. The Justices do all they can to limit the number of public-houses; and there appears to be no other probable means of checking intemperance. [Of course not—streams will flow while fountains *feel*.]

No. 273.—From the absence of *facilities* for getting drink, the population is as free from intemperance as *most* others. There are no public-houses—drink sold only at one turnpike gate. There were, at one time, two public-houses in this parish, and since they were put down, the morals of the people have manifestly improved.

No. 282.—A very great change for the better. *The refusal to grant certificates for retailing spirits* at public works has been found one of the most efficacious counteractives.

No. 286.—When there was a public-house in the parish, which was put down by — a number of years before I came, there were several of his own servants and others addicted to intemperance. There is no public-house in the parish, nor in several others around. No class of the population can be said to be addicted now.

No. 320.—Our population is remarkable for temperate, steady, and industrious habits. The proprietor has set himself resolutely against the *introduction* of Tippling-shops on his estate; and we have felt the benefit of his policy.

No. 348.—The vice is diminished considerably, *owing to the shutting up of a public-house*.

No. 350.—A marked change for the better of late years, as appears from the *suppression* of four or five licensed spirit-shops.

No. 370.—Great improvement has of late taken place in the drinking on the Sabbath, *referable to the recent change in the law*.

No. 377.—The number of intemperate persons has been lessened by the diminution of licensed spirit-shops from 7 to 4. *In every case where a spirit licence was withdrawn, the number of the intemperate decreased.*

No. 378.—A great change for the better. The best counteractives I believe to be—the absence of temptation. There is (now) neither ale-house nor gin-shop in the whole parish.

\* No. 439.—The parish is ten miles long, and seven broad, yet no evil is found to arise from the want of a tippling-shop. *Fifteen years ago the case was very different; then there was a whisky-shop in the parish, destroying the morals of the people. Through the aid of Lord — that tippling-house was suppressed.\**

§ 37. The Rev. ROBERT H. MUIR, the convener, in his Report to the Assembly, thus admirably sums up the evidence of this remarkable national document:—

“ The returns made to your Committee’s enquiries clearly “ prove that the intemperance of any neighborhood is uniformly “ proportioned to the number of its spirit licences. So that, “ wherever there are no Public-houses, nor any shops for selling “ spirits, there ceases to be any intoxication. The recklessly “ multiplying of what are thus evidently *so many centres of a*

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\* Mr Tremenheere’s *Report on the Mining Population*, contains an interesting illustration of one of these blessed parishes. He speaks of an Ayrshire village, containing 120 families, chiefly connected with one colliery. The men average 3s. 6d. a day wages. The only Public-house had been bought up for another purpose. *Since that time intemperance has altogether ceased.*

*vicious influence, cannot but be regarded as a public calamity.*  
 It forces temptation upon the people at every step, and  
 "actually brings to bear upon them all the active efforts of an  
 "excessive competition in a lucrative trade, for stimulating  
 "their practice of a ruinous vice. Your Committee, therefore,  
 "strongly feel, and would respectfully submit, that the influ-  
 "ence of *national customs*, and the force of many *outward cir-  
 "cumstances*, which lead to the formation and indulgence of  
 "intemperate habits, are indeed appalling, and do give to the  
 "vice of intemperance (so ruinous in itself) a very alarming  
 "preeminence among the Social Evils which call for anxious care  
 "on the part of the Church in the use of means for their  
 "suppression."

## II.

The Liquor-traffic, we next affirm, is not only essentially mischievous, but so peculiar an evil, that it is impossible, in the nature of things, to *regulate, limit, or restrict* it, so as to avoid its seriously conflicting with the aims and interests of Society. (§ 23.) Many incidental illustrations of this statement have already been furnished in the preceding sections, but it now remains to establish the truth by a review of the History and Results of past Legislation in Great Britain and Ireland.

§ 33. First, let us glance at the History of the Drink Traffic in SCOTLAND. In the earlier ages of its history, according to HECTOR BOETIUS, the Sellers of strong drink (then chiefly confined to mead), were looked upon as Public enemies, who made provision for the *voluptuous* pleasures of men rather than for their *necessities*, and who, for profit, *generally enticed men to a debauched and vicious life.*\* ARGADUS, Administrator of the Realm, A.D. 160, confiscated their goods, pulled down their houses, and banished themselves. Constantine the Second, at a later period, when the evil had revived, re-enacted this law at Scone, A.D., 861, adding the terrible penalty of death, in case the Taverner refused to depart, or resisted the execution of the decree. In course of time, however, beer or ale, became (with *wine*, largely imported from France, in the middle ages, for the use of the wealthier classes) the agents of intemperance in Scotland. An act of Parliament was passed in the year 1436, of which the following is the strongest essence:—"It is statute and ordained, that gif any man in a burgh be fund in a *tavern*, or *wine*, or *ale* shop, after the strike of nine hours, and after the bell that shall be rung in the said burgh, the alderman and baileies shall put him in the King's prison; the whilk gif the aldermen and baileies do not do, they shall pay for ilk time they be fund culpable fifty shillings." In the sixteenth century, as we find from

\* *Hect. Boet. lib. v. et x.*

MORYSON,\* though *Public-houses* do not seem to have existed, the facility with which, under an Open Trade, travellers could obtain ale or wine, produced a quite sufficient harvest of inebriety. In the following century, however, a new agent, or rather the old agent concentrated, and intensified in potency—*whisky*—is added to the Cauldron of Mischief. Intemperance then progressed with increasing impetus, and threatened to overwhelm the morality and religion of the nation. KIRKTON, after noting the death of the sixth JAMES, A.D. 1625, points out the effects of the amazing religious reformation which marked that era, and the noble stand which the Church made against drunkenness and profaneness. He then adds (referring to A.D. 1639—1649)—“This seems to me to have been Scotland’s high noon : the only complaint of plain people was, that the Government was so strict, *they had not liberty enough to sin*. It was thus the Taverners complained their trade was broken, the people were become so sober.” Unfortunately, however, *no security was taken for the future*. The high enthusiasm, on the one hand, could not be transmitted to the second generation, while, on the other, they did not crush the *nest-egg* of the Traffic, so that in due time it became a monster as before ; warmed into life by custom and appetite, instead of being proscribed, the Traffic gradually grew into power by creating the old demand. In the last century, the town council of Glasgow issued a proclamation containing the gist of various Acts of Parliament against profaneness and vice ; which, as regards drinking, consisted chiefly of ‘fines,’ very properly varying with classes—viz. £20 Scots for a nobleman ; 20 merks for a baron ; each gentleman, heritor, or burgess, 10 merks ; each yeoman, 40s. ; servant, 20s. Scots ; while ministers forfeited a fifth of their annual stipend. While deplored the vice, indeed, the government had been facilitating the sale of that which creates it ; and for the sake of a petty revenue, had, in Scotland and Ireland alike, fatally allowed not only the sale of whisky in Public-houses, but in Grocers’ shops, Toll-bars, and other places. In 1750, it is noticed in the celebrated *Letter of a Highland Physician*, that the habits of drinking are producing such an effect on the Highlanders, that they are not to be distinguished in their constitutions from the Lowlanders, who are already enervated by whisky. A recent article in *Blackwood’s Magazine* gives a frightful picture of Scotland in the last century, as regards Intemperance in both the higher and middle ranks. The farmers kept a barrel of whisky on the spigot,

\* He says, in 1598, that “courtiers, merchants, and country gentlemen, were addicted to intemperance. I did never hear that they have any Public Inns, with signs hanging out, but the better sort of citizens brew Ale, their usual drink, which will *distemper* a stranger’s body, and the same citizens will entertain travellers.”

+ It matters not whether the Church or the State did the work, so far as the present argument is concerned.

for all and sundry, and a cask of sugar beside it, with a spoon in it. Of the distinguished statesman, DUNCAN FORBES, of Culloden, it is said that he was never sober, and so drunk on the day of his mother's funeral, that he and his company were at the grave before it was discovered that they had left the body behind!\* With such facilities and examples, no wonder that Scotland became notorious for drunkenness. The *Memorials of Lord Cockburn* graphically describe the state of social manners in the days when claret was sold in the streets of Leith at 6d. a jug. The people, however, were not eminent for their sobriety. "Nothing was more common than for gentlemen who had dined with ladies, and meant to rejoin them, than to get drunk. *To get drunk in a tavern seemed to be considered as natural, and as if nothing but the intended consequence of going to one.*" The Edinburgh judges were accustomed to drink port wine in open court, carefully mixing with water, "till at last patience could endure no longer, and a full bumper of the pure black element was tossed over, after which the thing went regularly on. The strong-headed stood it tolerably well, but it told plainly enough upon the feeble. The ermine was never absolutely intoxicated, but it was certainly sometimes affected." When on circuit, these convivial doings were reserved for the Inn, where, during the suspension of business, "all concerned, judges, counsel, and jurymen, had a jolly dinner; after which they returned again to transportation and hanging. I have seen this done often. It was a common remark that the step in the evening procession was far less in time to the music, than that of the morning."

The following Resolutions, adopted by the inhabitants of LEADHILLS, in public meeting, after the famine year, are extracted from the *Edinburgh Magazine*, April, 1760:—

"1st. That the malt distillers have been the principal cause of the immoderate use of spirituous liquors, which has been found by experience highly detrimental, not only to the health, but also to the morals of mankind, especially to the laboring part thereof, it being productive of all kinds of debaucheries, drunkenness, indolence, and, in fine, *the very enemy of social happiness.*

"2ndly. They have, ever since they came to any height, been a *principal cause of the famine*, while such immense quantities of the best food, designed by the bountiful hand of Providence for the subsistence of his creatures, have been, by them, converted into a stupefying kind of poison, *calculated for the sure, though slow, destruction of the human race;* and, therefore,

"3rdly. We are firmly resolved, in order to prevent their baneful influence, to discourage, to the utmost of our power, by all public methods, that pernicious practice, being determined to drink no spirits so distilled; neither frequent, nor drink any liquor in, any Tavern or Alehouse, that we know sells or retails the same.

"Need we urge any arguments, O countrymen, to prevail with you? Do

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\* Chambers, in his *Traditions of Edinburgh*, relates of a party of *Ladies*, 60 years ago, that going home in the moonlight, and mistaking the shadow of St. Giles's Church for a stream across the High-street, they took off their shoes and waded across.

you not remember the pinching condition of the poor, expressed in the most moving manner by their pitiful complaints, and *not behold with indignation the mouths of these voracious vultures opened again?*"

In Sir JOHN SINCLAIR's collection of *Statistical Surveys* (1791), the Clergy describe the habits of their Parishioners as most melancholy to contemplate, induced by the temptations of the Whisky shop. One of them says of Whisky—"a beverage which seems only fit for demons,"—another affirms that it has "contributed more than all other modern luxuries to destroy that spirit of contentment and industry—that sobriety and decency in manners which formerly characterized the peasantry of Scotland." In Glasgow and Edinburgh especially, the unimpeded progress of crime betrayed some baneful agency at work, which was no less seen in the frightful harvest of insanity, nearly threefold that which obtains in England. In 1818, according to a return of the Clergy, the lunatics and idiots numbered 4650. Allowing for a few unreturned parishes, the proportion would be  $2\frac{1}{2}$  to every 1000 of the population: whereas, in England, we had but one in 1250; though now it has risen to one in 780. The *Statistical Survey* (vol. v. p. 139), notes that "The excessive and increasing use of Spirituous Liquors amongst the lowest ranks of the people, is justly to be considered as a great cause of this, as well as other disorders."

In 1812 the population was 1,834,465, and the quantity of spirits entered for home consumption was 1,581,524 gallons, at a duty of 8s. per gallon. This gives 0.86 of a gallon each. In 1821, with the reduction of duty to 6s., the stringent enforcement of the excise-laws, and the nearly total suppression of illicit distilling, the consumption reached to 1.14 gallon per head. From that period to 1840, with a cheap duty of 3s. per gallon, it rose to nearly  $2\frac{1}{2}$  gallons per head; but from 1841 to 1851 the increase nearly quadrupled the increase of the population.\* The duty did not explain the whole phenomena; other, more serious facilities had come into full play. By an unfortunate reading and decision of the Court of Justiciary in 1833, the 'Home Drummond Act' of 1828, designed to repress *Sunday* drink selling, became impotent. The publicans became a privileged class—free to sell inflaming spirits, while other citizens were imprisoned for selling needful food! The legal check was removed, and 'the flood-gates' were opened wider. Crime and pauperism kept pace with the Traffic. Gaols became overcrowded, and poor's rates rose from £150,000 in 1841, to £574,000 in 1851. Thoughtful people and careful people equally grew alarmed. The Temperance advocacy had been fermenting,

\* The duty was 7s. before 1822, and was then reduced to 2s. 10d. the Scotch gallon. A decided, and constantly increasing consumption followed, rising from 2,000,000 gallons in 1821 to 6,000,000 in 1830. In 1829, the number of Barrels of Beer charged with duty was—of strong beer, 118,723; of small beer, 217,443. The duty on it is but 6d. per head for the whole year. We note, then, that neither cheap beer, nor small beer, facilities—stop the use of whisky. Why should sour French wines?

unheeded by “the substantial class who overlook those foolish notions” (§ 38); but the still small voice of Truth was now enforced by the inexorable demands of the Tax-gatherer.

The most superficial enquiry unmasked the real cause of the evil. Crime was attributed to Ignorance by shallow publicists—as if there had been some cloud of it suddenly let down during the preceding ten years! But the prison returns for 1848 for ever shattered *that* hypothesis, by showing that out of 3,530 prisoners committed, only 696 were uneducated. That is, the prisoners classed as educated, were three to one against the uneducated—and those chiefly Irish or strangers. Education and moral and religious training had not prevented crime. The new Poor Law was blamed for increasing rates—politicians seeking out any cause imaginable, rather than acknowledge the palpable one before their eyes; but a meeting of Delegates from all parts, held in Edinburgh, speedily dissipated that notion. In land-ward parishes, as well as in towns, drunkenness was felt and known to be the root of both these growing social evils, and the minds of the intelligent veered at last to the right point of the compass. The nobility and gentry formed a society for the suppression of drunkenness, chiefly directing attention to the lessening of the *facilities* for drinking, since police acts had been evaded, or only negatively enforced. Attempts were made to *legislate*, but ‘the trade’ had influence enough to defeat these first efforts of the association. In 1853, however, a national agitation was got up. The late JOSEPH HUME, M.P., moved for a return showing the comparative drunkenness of different cities, the publication of which excited much controversy, and tended to elicit the temper and tendencies of local combatants. In the midst of the strife, the Edinburgh Total Abstinence Society startled the country and the churches by announcing a fact which it had carefully ascertained, that upwards of 40,000 visits were paid to the Edinburgh public-houses every Sabbath! The Scotch Public-house Bill of 1853 was the embodiment of these various agencies and interests, which, though differing in other things, unanimously concurred that drunkenness, fed by the facilities for obtaining drink, was the curse and calamity of the nation.\* The bill coped with this evil, not by introducing any new principle, but by re-establishing the old law of Scotland,

\* The “Forbes Mackenzie” or the “Lord Kinnaid” Act, received the Royal Assent on the 15th August, 1853. Amongst its other provisions, it enacts that in Scotland no grocer shall be allowed to sell spirits, or give a glass of wine or spirits, to be consumed on the premises. No confectioner or dealer in provisions or eatables of any kind shall receive a licence to sell wines or spirits, to be consumed on the premises. Every inn or hotel, having four sleeping apartments, shall be prohibited from supplying any, excepting lodgers and travellers, with wines and spirits before eight in the morning or after eleven o’clock at night; and no such house shall be allowed to supply either a public or private supper party or ball with wines or spirits later than eleven p.m. No such public-house shall be allowed to supply a townsmen with wines or spirits during any part of *Sunday*, nor shall a lodger be permitted to invite a friend to any meal where wines or spirits are required.

and by a more rigid application of the legal equality of citizenship. It made all trades equal—placing the seller of drink on the same level with the seller of dress; and it withdrew from those whom experience had branded as a socially-destructive class, a privilege which it granted to no other class.

Another recent governmental measure has done good service. The duties on spirits have been equalized in Scotland and England, and this has *increased the price*, as regards the former country. Now mark the effect! First, we have a gratifying decrease in the consumption, tallying with our expectations:—

For the four years ending 1st of July (1851-4), the average consumption of whisky was 6,914,308 gallons, and of foreign spirits 264,053 gallons—a total of 7,178,361. For the year ending July 1st, 1855, the consumption was, of whisky 5,991,870 gallons, and of foreign spirits 228,661 gallons—a total of 6,220,531 gallons; showing a decrease in whisky of 922,438 gallons, and in other spirits 35,392 gallons, or a total decrease of 957,830 gallons. The average number of bushels of malt for the four former years was 4,015,236—the last year 3,268,101; a decrease of 747,135 bushels.

Second, we have a still more gratifying result in the decrease of crime and its kindred evils. Besides the facts stated in § 31, take the following:—

In Edinburgh, offences against property have decreased 25 per cent, namely, from 5668 in 1852, to 4263 in 1855—that is, there has been reported of such offences just 1405 less in that city. While crime has increased 8 per cent in England, under the Berkeley Beer Bill, the Twenty-first Annual Report of the Inspector of Scotch Prisons announces a decrease of crime, in Scotland, amounting to nearly 3000, or *a seventh of the whole*. This is a curious coincidence, as springing from the prohibition of the Traffic one day in seven. The figures are as follow:—

1854, Prisoners, including re-commitments.....	23,212
1855, Prisoners .....	20,328
2,884	

Whatever cant, then, a portion of the press may indulge in, as to the impossibility of making men moral by act of parliament, it is quite clear from this history, that governments may not only do much, by ill-judged allowance and licence, to debauch the morals of a people, but also, by wise repression, or total prohibition of noxious agencies, do very much to promote the best interests of a nation.

§ 39. Next turn to our unhappy sister country—IRELAND, where the freedom of sale in *usquebaugh* has inflicted more mischief than in any other part of the United Kingdom, aggravated by the peculiarly excitable character of the people, and the absence of intellectual and social culture, as restraining forces.

A spirit was early distilled from fermented corn (black oats), in Ireland, and known by the striking popular name of *Buileann* from ‘buile,’ madness, and ‘ceann,’ the head. Madness of-

head indeed! In the reign of Philip and Mary, the government, not yet blinded by custom, regarded its manufacture as a sinful and dangerous destruction of the *food* of the people, and passed an act for its suppression. (3rd and 4th Ph. et. Mar. cap. 7.) The Lord Deputy, Sir JOHN PERROT, during a visit to Galway, addressed the corporation “touching reformation in the commonwealth,” commanding “that a more straighter order be taken to bar the making of *aqua vita* of corne than hitherunto hath been used, for that the same is a consumation [consuming or destruction] of all the provition of corne in the commonwealth;” and “that the aqua vita that is soold in towne ought rather to be called *aqua mortis*, to poysen the people, than to comfort them in any good sorte; and in like manner all their byere.”\* The testimony of Captain JOSIAS BODLEY, in his curious description of a visit into Lecale, County Down, A.D. 1602-3,† and of FYNES MORYSON, the Historian of Ireland, as to the same period, may be accepted as conclusive evidence of the prevailing vice of intemperance, and in connexion with what may be styled an *Open Traffic*. MORYSON says—“At Dublin, and in some other cities, they have Taverns wherein Spanish and French wines are sold; but more commonly the *Merchants* sell them by pints and quarts in their own cellars. (The usquebaugh is preferred before our aqua vitae, because the mingling of raisins, fennel seed, and other things, mitigating the heat, and making the taste pleasant, makes it less inflame.) These drinks the English-Irish drink largely, and in many families, both men and women use excess therem: but when they come to any market town to sell a car or horse, they never return home until they have drunk the price in Spanish wine, which they call the King of Spain’s daughter.” The Act of Philip and Mary, however, arrested the common use of whisky, so that, as we learn from Sir W. PETTY’s *Political Anatomy*, in 1672, the working-classes had beer for their beverage. He, too, complains of the excessive number of the public-houses. LAWRENCE, in alluding—in his *Interest of Ireland in its Trade and Wealth Stated* (London, 1682)—to the loss of grain in brewing ale, omits all notice of whisky.

§ 40. The act of 3rd and 4th Philip and Mary (1556) recites, “Forasmuch as *Aqua Vitæ*, a drink nothing profitable to be daily drunken and used, is now universally throughout this realm made, and thereby much corn, grain, and other things, is consumed, spent, and wasted, to the great hindrance, cost, and damage of the poor inhabitants of this realm,” etc.: proceeds to enact that *none*, save Peers, gentlemen of £10 freehold, and Freemen, for their private use, shall make *aqua vitæ*, without the Lord Deputy’s licence. This act greatly influenced the

\* Hardman’s *History of Galway*.

† *Descriptio itineris. Vide Ulster Journal of Archaeology.* Vol. I. p. 73.

national taste, by inducing the use of the weaker and less perilous drinks, mead, ale, and wine; and continued so effectually to check the use of spirits, that, as appears from the first Excise account (consequent on the Act of 14th and 15th Charles II., by which a duty was put on spirits distilled under certain regulations), a revenue was yielded in 1719 of only £5,785. Unfortunately, in the reigns of Anne and the first Georges, a notion prevailed with our Statesmen, of at once encouraging the tillage of land in Ireland, and enlarging the revenue, *through the manufacture of Spirits*, to which is to be clearly traced that national demoralization which politicians are fond of ascribing to anything but its real causes. Wise, foreseeing men, however, even then protested against the evil.

Dr MADDEN, the founder of the Royal Dublin Society, in his *Reflections proper for the Gentlemen of Ireland*, 1739, proposes this:—

“ We resolve, as Masters of Families, that, as to drinking, we will contribute as little as possible to the excessive and destructive consumption of *Foreign Wines* and *Brandies*.\* As debauched as we are grown, *many men can remember when we were as remarkable for sobriety*, as we are now for rioting and drunkenness; when our ancestors, of the best families of the nation, used to have their wines brought in by dozens, and when sack and spirituous liquors were sold at the Apothecaries’ Shops for cordials to the sick. The *Taverns* indeed have long since taken that trade out of their hands, but in return have brought them in ten-fold a greater one, for their drugs—by increasing the number of patients, *and what is worse*, of distempers too. We are now grown to that excessive extravagance in *wine*, and what is still more injudicious, in *French Wine*, that we pay at the lowest medium, above 130,000 per annum for our wine and brandy from France alone, besides large quantities of the latter that are run.—p. 64.

“ What is most amazing in this epidemical madness, is, that there are few men of virtue or sense among us but rail at it, lament—and practice it—and gravely drink the prosperity of Ireland in its blood.”—p. 63.

Dr SMYTH, too, in 1745, objects that “ it may be doubted whether the use of this liquor (whisky) by the common people, may not in time contribute to the ruin of tillage, by proving a *slow poison* to the drinkers of it.”† Not only did it affect the national habit of body and industry, but of course the character, increasing the proclivity to turbulence and unreflectiveness.

\* Of course, the Irish Magnates and Squires would not patronize themselves the use of the vulgar beverage. *Foreign Wines* had already spread corruption among them. The following is the indignant answer, with which a distinguished Irish writer meets a reference of a beggar’d squire of 1800, to the ‘glorious times’ when he invited his neighbors to broach and drink up a pipe of Claret!

“ Glorious times to beggar a nation, to prostitute public honor and private virtue, to make men heartless debauchees first, that they might become shameless scoundrels after; to teach them a youth of excess, and an old age of venality. These were your ‘glorious times’! Out of them grew those lawsuits and litigations that enriched the lawyer, but ruined the landlord. Out of that beggar’d era of orgie and debauch, came beggar’d families and houseless gentry—men, whose fathers lay upon down couches, and whose selves sleep upon wooden settles. *It was a long night of debauchery, and this, that we now see, is the sad morning afterwards.*”—Sir Jasper Carew, p. 182.

† *Ancient and present State of Waterford*; by C. SMYTH, M.D. 1746.

When Mr WALKER, the Recorder of Dublin, was examined before the Privy Council, in 1803, he referred to whisky drinking as the occasion of the excitable character of the population ; and being reminded of its importance to revenue, replied—“ Of what use is that revenue, if it produces an *insurrection* every 20 or 30 years ? ” The Government, however, seduced by the prospect of revenue, and the Landlords by visions of rent, gave fatal encouragement to drinking. What was the consequence ? The number of gallons of *Home-made* Spirits which paid duty in 1729 was only 150,000 gallons, but the amount had risen to 600,000 in 1755. In consequence of distillation being *prohibited* from March, 1758, to September, 1759, the next five years’ average was diminished to 323,557 ; but the restriction being removed, it sprang up again to 600,000, until, by gradual increase, it reached, in 1795, no less than 4,000,000 gallons. With this increase the importation of *Foreign* spirits had kept pace, rising from 439,150 gallons in 1729, to 800,000 gallons in 1795. The population had only doubled in that period, but spirit-drinking had increased *elevenfold*, giving an annual average of 2*½* gallons of spirit to every man, woman, and child in the country.\* An increase of crime, and a corresponding corruption of morals, were quite visible throughout the whole kingdom, and which penetrated all classes. In cities, the change from orderly and industrious mechanics, to dissolute and riotous combinators, was no less deplored than the reckless and barbarous spirit which had come over the peasantry. In 1760, as we find from the *Irish Commons’ Journal* (vi. p. 204), a petition was presented to Parliament, urging “ That the lower classes of the manufacturers in Dublin were rendered dissolute and idle, *by the low price* at which spirits were retailed, and the *increase of dram-shops* in the city ; ” on which a Committee of the whole House resolved, “ That keeping up spirituous liquors, at a high price, would greatly contribute to the health, sobriety, and industry of the common people.” The Parliament, however, was as reckless as the people, and two *practical* motions to impose the highest rates of licence, and to enquire into the character of those applying for the license, were negatived. Four years later,† the Corporation of Sheermen and Dyers of Dublin present another petition, setting forth the decay in the silken and woollen manufactures, amidst the augmenting wealth of the city, and expressing their alarm at the *daily increasing number of shops for the sale of Spirituous Liquors* where the manufactures were carried on, “ whereby a ready opportunity is offered to the journeymen and servants concerned therein, to make too free a use of Spirits, who are thereby frequently rendered incapable for a great part

\* No other article of luxury had increased in the same proportion, so that it cannot be explained by the increase of general wealth.

† *Irish Commons’ Journal*, vol. vii. p. 307, 308, 316.

of their time from following their occupations, *to the manifest injury not only of themselves and their families, but of the public*”—and expressing a fear “that if a speedy stop be not put to this growing evil, several very valuable manufactures will be lost, and the greatest poverty and distress, with many other evils, introduced amongst those who ought to be our riches and defence.” The Woollen Manufacturers,\* in another petition, set forth “*the decay of trade*, as the working people are become idle and dissolute; *and as they do not work half their time*, are under the necessity of entering into unlawful combinations to enhance the price of labor, which prevents petitioners from bringing their manufactures to market on proper terms.” Even the Corporation of Brewers complains “That the consumption of Spirituous Liquors has been daily increasing beyond all conception or belief, *to the infinite prejudice of trade and manufacture, the health, sobriety, and morals of the people.*”\* The Weavers of Dublin also set forth their concern at the prodigious increase in Spirit Shops, *whereby the temptation is always before them* to the too free use of spirits; that *they, in consequence, seldom work on Monday*, but enter into combinations to make good their sloth and extravagance. “That the spirit of industry, decency in dwelling and apparel, which formerly obtained amongst them, being almost eradicated, *and in place thereof, filth and nastiness in every circumstance of life*, with an unbounded licentiousness of manners, which have produced the most dangerous riots and disorders.”

These petitions, after being discussed in a Committee of the whole House, occasioned the following resolutions, which more distinctly exhibit the magnitude of the evil than any detail of facts now possible:—

- 1st. That the consumption of Spirits amongst the lower classes, had *grievously increased* in the city and county of Dublin.
- 2nd. That the *number of Dram Shops* had increased so much, as to become the greatest nuisance.
- 3rd. That *the decay of our manufactures* is principally to be attributed to the too frequent use of *low-priced Spirits* by the workmen.
- 4th. That all the *riots and combinations* of late so frequent, are to be attributed to the same cause.
- 5th. That many *murders* which of late have been committed, are to be attributed to the excessive consumption of Spirits.
- 6th. That it is the cause *why the streets and hospitals are at present crowded with incurable objects*.
- 7th. That it has been of great detriment to the Brewing-Trade [*the lesser evil of the two*].
- 8th. That it appears to the Committee, that the most effectual measure [then] in their power to *restrain the progress of the evil*, would be, to increase the amount payable for licences [*i.e. lessen the number of licensed dealers*], and to be careful in taking the recognizances from Spirit-sellers.

Still, for the reasons assigned, nothing was done. Patriotism and morals were postponed in favor of the more pressing, yet

\* *Irish Commons' Journal*, vol. vii. p. 307, 308, 310.

fallacious, interests of rent and revenue. This generation has seen the issue of that detestable policy, in the famine and the exodus. The wind was sown, and the whirlwind has been reaped—let us hope that the terrible teaching will stand ourselves and other nations in the stead of bitter experience! A new and brighter future is possible to Ireland; but the dregs of the old intemperance, and indifference, must first be purged out. If that be not done—if the old licence and distilling system be allowed to remain—they will infallibly revive, and ultimately arrest the career now open to her.

§ 41. In 1773, the question again came up before the House of Commons. It was given in evidence that the operatives of Dublin, formerly sober, industrious, and thriving, were become “an enfeebled, wretched set of creatures, almost always intoxicated with dram-drinking.” Mr B. HOUGHTON, in his examination before the ‘Grand Committee of Trade’ (I. C. *Journ. x.* Appendix, cxiii), refers to spirit drinking as one great cause of idleness, riots, and tumults, and states that “*the people did not seem to be the same race of people they were twenty years ago.*” Still, nothing was done: the Parliament talked, while Ireland burned. In 1786, the Grand Jury of the city of Dublin, and in Hilary term next after, the Grand Jury for the county, represented to the House the injurious consequences arising from the *unrestricted sale and consequent excessive use of spirits*, praying for a law similar to the English act of 1751, to remedy the evil; though that law, by the way, had only repressed it.\* The language of those petitions is very significant. “Idleness, profligacy, and outrages, are chiefly to be attributed to selling spirits, which is, therefore, become a **DANGEROUS NUISANCE**, and being authorized by law, can be corrected only by the legislature.

.....*The temptation to indulge therein being offered in every street, by the multitude of dram-shops and public-houses licensed for this purpose, they soon become weak, diseased, and disabled, unfit for labor, useless to the state, and burthensome to the community, which [support], if refused, they endeavor to obtain by theft or robbery... THAT NEITHER THE LAWS NOW SUBSISTING for the suppression of vice, and the maintenance of order, nor the authority and exertions of the magistrates, in enforcing those laws,—NOR ANY FUTURE LAWS that may be enacted for these good purposes,—WILL HAVE ANY MATERIAL EFFECT, SO LONG AS THIS PERNICIOUS PRACTICE IS PERMITTED TO EXIST.*” Sixty-nine years have passed away since these words were recorded, and yet it is only now that the people of this country are waking up to the deep and vital truth which they contain.

§ 42. In March 1788, Parochial meetings were held in Dublin, and a deputation appointed to wait upon the Lord Lieutenant (the Marquis of Rockingham), with a representation of the facts,

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\* *Journal of the Commons*, vol. xii. p. 43.

and praying him to "devise such means as to his wisdom and humanity shall appear most effectual, to suppress this universally acknowledged source of almost every public evil, and certain obstruction of every patriotic endeavor to promote the improvement, the civilization, the industry, and general prosperity of the nation." His Lordship devised a brief acknowledgment of the truth of the representation, declaring that he would be happy to contribute by every means in his power to the suppression of a practice the source of almost every public evil,—and then went to dinner.

Nothing being done, however, the Grand Jury of the county again petitioned Parliament. In 1790, the High Sheriff and Grand Jury of the county of Roscommon follow the same course, ascribing the vice to the *low price and facility of obtaining* spirits, and to cheapness of licences. (I. C. Journ. xiv. p. 41.)

In 1791, the House of Commons was again induced to consider the question, and a Committee came to the Resolution "That the number of persons empowered to retail spirits should be greatly diminished," etc.\* Certain Acts were passed, encouraging the rival trade of the Brewers. *Grocers were prohibited from selling* *drams in their shops*, etc. The Speaker of the House, in his speech at the bar of the Lords, March, 1795, and in an address† delivered on presenting the Bills of Supply, which received the unanimous thanks of the lower House, thus referred to the excellent result of even these small measures, and at the same time enunciated a pregnant political truth. After alluding to the increased prosperity and resources of the country, and to some measures for decreasing the sale of Spirits, he observes— "Satisfied, however, that those resources and that prosperity cannot be permanent without an effectual attention to the sobriety of the people, their morals and peaceable subordination to the laws, they have, by an arrangement of duties which promises also an increase of revenue, relieved the brewing [trade] from all restriction of taxes, so as to give it a decided advantage over the distilling, and thereby discourage the too frequent and immoderate use of Spirituous Liquors, a measure which must conduce to sobriety, tranquillity, and content, and under which the people, encouraged in regular industry, and the consequent acquisition of wealth, must feel the blessings," etc., of good government.

§ 43. Under the dark days that followed, from 1795 to 1800,—days of rebellion at home and revolution abroad—this subject was lost sight of, unhappily for the interests of all. The Acts which had initiated so much good, were allowed to expire—dis-

\* It is a proof how uneducated in Legislative History and Philosophy our present Magistrates and Rulers are, that with so striking historical a proof of the evils of *Easy Licences*, they should, in Mr Brown's recent Committee, have started out in favor of *Open Trade* in strong drink, and required huge volumes of evidence to make them relinquish the notion. Their attention seems to have been directed rather to the *accidents* of the system, than to its essentially pernicious influence.

† *Irish Commons' Journal*, 1795, vol. xvi.

couragement to the use of Spirits ceased—Grocers were again allowed to dispense the fatal drug to women and families—and debauchery rioted and reveled as before! WALSHE and WHITELAW, in their *History of Dublin*,\* furnish an appalling picture of Thomas-street, the termination of the great Southern and Western roads in that city:—

"It contains 190 houses, and of these no less than 52 were licensed to vend spirits; a poison productive of vice, riot, and disease; hostile to all habits of decency, honesty, and industry; and, in short, destructive to the souls and bodies of our fellow-creatures. These houses, open at all hours of the day and night, are scenes of increasing profaneness and intemperance, which even the sanctity of the Sabbath cannot suspend; and it is an undoubted fact, that on that day, sacred amongst Christians to piety and peace, more deeds of profaneness, immorality, and disorder, are perpetrated, in this vicinity, than in the other six. Intemperance, idleness, and irreligion, afford excellent materials for the designing and disaffected to work on, and accordingly here was found the *focus* of rebellion."

After the Act of Union, no further attention appears to have been paid to the 'miseries of Ireland' as they stand connected with the Traffic. The attention of the Imperial Parliament was absorbed by the long and exhausting European war, leaving the enemy at home to destroy *at will*;—year by year his supplies were augmented and his victims increased, until, in 1826, the consumption of *Home-made* spirits had risen to the enormous total of 11,775,000 gallons!—while that of beer, notwithstanding the vast increase of population, had diminished to 550,000 barrels in 1823.

Shortly after this period, the Rev. Mr CARR, of New Ross, introduced the question of Temperance Societies, based upon *abstinence* from distilled spirit. In Dublin and Belfast, several influential men and philanthropists embraced the movement, which, if it did not materially arrest the evil, directed distinct attention to it, and, afterwards, as a convert to the more complete and consistent principle of abstinence from *alcohol*, whether distilled or undistilled, came Father MATHEW, whose influence, for some years, owing to a providential conjuncture of circumstances, became a vast national fact and blessing. Unhappily, however, the seed not being extirpated, the crop of mischief is again growing up, and the distilleries are reviving once more.

§ 44. During four short years, however, of the first quarter of this century, Ireland was exempted in some degree from the worst evils of the Traffic. We refer to the years 1809-10, and 1812-13, during part of which years the *distilleries* were stopped,† in consequence of scarcity of corn,—partly owing to their destructive operation, and partly to deficient harvests. This circumstance affords another conclusive and independent

\* London, 1818, vol. i. p. 646.

By 48 Geo. III. cap. 118, 49 Geo. III. cap. 7, 52 Geo. III. cap. 47, and 53 Geo. III. cap. 145.

proof of our proposition ; for while drunkenness and disorder lessened under the prohibition, it again increased so soon as the restriction was removed. In 1811, the following certificate was signed by *Nat. Hone*, the Lord Mayor, and fourteen other magistrates of Dublin, and laid before the public :—

" We certify that we have observed, that within the last twelve months there has been a deplorable increase of profligacy amongst the lower orders of the people in this metropolis and its neighborhood, and this effect appears to us to have arisen from the very low price of *Spiritous Liquors* during the above period ; and we are decidedly of opinion, that *in proportion as a facility of intoxication is afforded to the lower order of Society, the industry of that class is relaxed, their health impaired, and their crimes multiplied.*"

§ 45. Having shown how the *facilities* of getting spirits tempt to their use, and displace milder and less noxious beverages, we can now refer to another incidental proof of our proposition. It appears from the Fifth Report on the Revenue (p. 315), that out of 60 excise districts into which England is divided, there were, in 1821-22, not less than 38 in which *not a single gallon* of English, Irish, or Scotch Spirits had been consumed ; and that, in the entire of Wales, where almost every Publican brews his own ale, not a single gallon of British Spirits, and hardly a gallon of Foreign, had been introduced. It is a mistake to suppose that the public will *seek* their own ruin—they are ruined because the law sets up, or permits to be set up, the temptations and snares into which they fall.

§ 46. The History of the Liquor Traffic in ENGLAND is not less pregnant with instruction. For many ages, the Traffic was open here, as in Scotland. As early as A.D. 995, however, an attempt was made to restrain by law the evil of drinking. Taverns were introduced in the 13th century : and very speedily manifested their peculiar character. The business of a Taverner seems never to have been held as 'respectable,' a fact which shows that it has been always *associated* with immoral or low life, and always must be until that which pollutes is removed. In the reign of Edward I. (1285) complaints were frequent ; and it was enacted that *Taverns should not be open for the sale of wine and beer after the tolling of the curfew*. It is a pity so excellent a law should have fallen into desuetude : it is much wiser than our late Sunday Bill. In the reign of Edward III. only three Taverns were allowed in the metropolis. By the reign of Edward the VI. they had greatly increased. But the Taverns were exclusive of Alehouses,\* and indeed were designed partly to prevent the rapid growth of these, which had become, under free trade, nests of

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\* *Ale-conners* (kenners, knowers, or tasters) were officers appointed in those days, to see that the Ale (deemed a necessary of life with bread) was of *due quality* ; not adulterated, weakened, or spoilt. They could also fix the price. They had to present all defaults of Brewers to the next Court Leet. The *Brewsters' Sessions* seems an outgrowth or development of this proceeding.

mischief ‘to the common people,’ somewhat like our Beer-houses. Strange ! after the lapse of 350 years, ‘Statesmen’ should revive and license that which, of old, had given rise to the evils which compelled legal interference and surveillance. In the 11th Henry VII. (1496) an act was passed “against vagabonds and beggars,” which contains a clause that empowers two Justices of the Peace “to reiecte and put away *comen ale-selling* in townes “and places where they shall think convenient, and to *take* “*suertie of the Keepers of ale-houses of their gode behavynge*, by the “discrecion of the seid justices, and in the same to be avysed “and aggred at the tyme of their sessions.”\*

§ 47. In the reign of Edward VI. Taverns were denounced by Act of Parliament, as the resort of evil-disposed persons, and the cause of “muche evill rule.” The preamble of the Act states that they were “newly sett uppe in very great noumbre, in back lanes, corners, and suspicious places withyn the cytie of London, and in divers other tounes and villages withyn this realme.” By the 6th Edward VI. (1552) we learn that “*Intolerable hurts and troubles to the commonwealth, doth daily grow and increase through such abuses and disorders, as are had and used in common Ale-houses, and other houses called Tippling-houses;*” and in the Act of which this is the recital, penalties were levelled against those permitting tippling in their houses. In the following year there was passed “An Act to avoyd excess in *Wynes*,” and which limited Taverns to towns and cities ; allowing 40 for London ; to Westminster 3 ; York, 8 ; Bristol, 6 ; but to every other town only 2. The next important Act of restraint, fifty-four years later, was pointed against those *indulging* in the vice. James II., on his accession, virtually fostered this vice, by passing laws which encouraged the increase of Drinking-houses ;† so that he had shortly to pass enactments for the punishment of *drunkenness* ! The 2nd James I. (1604) has an admirable preamble, showing what the ancient Parliaments deemed the true use of a PUBLIC-HOUSE, and of what we now paradoxically call their conductors—“*Licensed Victuallers.*”‡ It says:—“The ancient

\* About this period, Lydgate, ‘Priest and Rhymer,’ wrote his *London Lyck-penny*, wherein a youth is made to hit off the character of the Publican in the following lines:—

“The Taverner took me by the sleeve,  
Sir, saith he, will you our wine assay?  
I answered—That cannot muche me grieve,  
A penny can do no more than it may.”

+ Also by his example. On the visit of the bibulous King of Denmark to his sister Anne, the wife of James I., Sir JOHN HARRINGTON testifies that “*the conduits in the streets ran with wine.*” The Ladies abandon their sobriety, and are seen to roll about in intoxication.... The gunpowder freight is got out of ‘all our heads, and we are going on hereabouts, as if the Devil were contriving every man should blow up himself by wild riot, excess, and devastation of wine and intemperance.” (*Nugae Antiquae.*)

‡ In truth, what was an accident (wine, etc.) has become the essential ; and as

"true, and principal use of ale-houses was, *for the lodging of wayfaring people*, and for the supply of the wants of such as were not able, by greater quantities, to make their *provisions of victuals*, and not for entertainment and harboring of lewd and idle people, to spend their money and their time in a lewd and drunken manner." And we may add, not surely as Traps for ensnaring the young, the sober, or the simple—which they now demonstrably are.

The 4th James I furnishes as clear evidence of the *ineffectual character of the Licensing system* as the last Blue Book of Parliament. It shows the evil to have become prevalent, and unabated, at least materially, by simple restrictions; declaring that "the odious and loathsome sin of drunkenness is of late grown into common use, being the root and foundation of many other enormous sins, as bloodshed, stabbing, murder, swearing, fornication, adultery, and such like, to the great dishonor of God and of our nation, the overthrow of many good arts and manual trades, the disabling of divers workmen, and the general impoverishing of many good subjects, abusively wasting the good creatures of God." Intoxication was then made punishable by a fine of 5s., or confinement in the stocks for six hours; and the first offence of "remaining drinking and tipping" in a person's own neighborhood, by a fine of 3s. 4d., or confinement in the stocks,—the fine being increased to 10s. for the second offence, and to find recognizances for future good behavior. These Acts being hitherto temporary, were made *perpetual* in 1625, by another which extended them to persons not then *inhabiting* to 'tipple,' who had previously been omitted from them.

Nevertheless, these statutes failed in their ostensible object. The licensed *Sowers* spread broad-cast their seed, and the rank weeds of drunkenness and debauchery of course sprang up. Fresh laws were enacted, giving the Justices increased power—(People yet believe in Justices!)—Excise-officers and other machinery were brought into play—and a disability to sell beer for *three years* was imposed upon offenders against the laws,

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the following will show, the *Victualling* has become an accident—and a difficulty!

"WHAT ARE PUBLIC-HOUSES FOR?

"Sir.—A few days ago I received at the hands of Yorkshiresmen (I am ashamed to tell it), treatment which made me seriously ponder the above question, and caused me to ask 'Where are our Inns?'

"After a hard day's travel I came to two small villages close together, between Helmsley and Kirby Moorside, called Nawton and Beadlam, and being worn out, I went to one of the public-houses in the places mentioned, and after having something to drink, ordered supper and a bed. To my surprise, after they had taken the money for my glass of gin, I was coolly and quietly informed that I could not have supper and bed. I of course made my exit. I then went to the other two houses in the two villages. One of them took my money for my liquor, and treat'd me in the same style. The other were not gone to bed, but would not open their doors. It wanted then fifteen minutes to ten o'clock, and I was more than thirteen miles from home, and on foot, and a moor road. **A TRAVELLER.**"

*Easingwold Chronicle, September 1855.]*

which seems to have been about as effectual as our modern sham of ‘suspending the licence’!

§ 48. During the reign of Charles I., the complaints against Ale-houses were loud and frequent. In 1623, the Lord Keeper COVENTRY, in his charge to the Circuit Judges, says\*—

“I account Ale-houses and Tippling-houses *the greatest pests in the kingdom*. I give it you in charge to take a course that *none be permitted* unless they are licensed, and for the licensed alehouses, *let them be but a few and in fit places*....If they be in private corners and ill-places, they become the den of thieves—*they are the public stages of drunkenness and disorder*. Let care be taken in the choice of Ale-house Keepers, that it be not appointed to be the livelihood of a large family...In many places they *swarm* by default of the Justices of the Peace, that set up too many: but if the Justices will not obey your choice herein, certify their default and names, and, I assure you, they shall be discharged. I once *did* discharge two Justices for setting up one Ale-house, and shall be glad to do the like again upon the same occasion.”

If we must have Justices, pity we have not a Lord-keeper to look after them! All attempts to check drunkenness in this reign by merely *regulating its causes*, naturally ended in disappointment. Intemperance was a prevailing vice during the Commonwealth era, and had earned for England the title of “The Land of Drunkards.” The evil grew rampant, even amidst much sterling piety, and notwithstanding faithful denunciation from the pulpit, showing that the best intended endeavors must be frustrated, if they are not based upon a correct conception of the evil and its causes. At the London sessions, however, in 1654, an effort was put forth in the right direction, for it was ordered that “*no new licences shall be granted for two years*.” One wonders that the thought should not have arisen, *Why revive the old licences, if the new ones are to be smothered in the shell?* A cockatrice in *ovo* is not worse than one fully hatched.

§ 49. Bad, however, was destined to become worse, when the restraining influences of the Commonwealth were withdrawn, and a corrupted court and gentry, *who had become intemperate on French Wines*, set, as Dr FOX says, the example of caressing the beastly vice. “After the restoration, when the King’s health became the distinction between a ‘Cavalier’ and a ‘Roundhead,’ drunkenness began its *reign*, and it has reigned almost forty years.” There was, as is usual now, Parliamentary *talk* in abundance, but only the absurdest remedies. Complaints were made that the vast consumption of *French Brandy* interfered with *Home* distillation (as if *that* were a blessing!); whereupon, Charles gave permission to a Company to distil Brandy from wine and malt. Here was deposited the germ which, ultimately, had well-nigh wrecked England upon the rock where Sweden now is. She was started upon a sea of disaster, which, as we have seen, ended so fatally for the interests of Ireland where the same policy

\* Howell’s *State Trials*, vol. iii. p. 835.

was adopted. More fortunate than her, however, we had, in our Chesterfields, Lonsdales, and Herveyes, men, patriotic and wise enough to steer her back into the Harbour of Restriction.

After the Revolution of 1688, commercial relations with France being interdicted, *any person was permitted to set up a Distillery, on giving ten days notice to the excise, and paying some trifling duties.*\* Here we had free trade with a vengeance, with no restriction save that of a fiscal nature, such as our present tea-liscence. The effect was what might have been anticipated. The business of *Distilling*, especially in London and Westminster, increased and flourished, but the *people* faded and decreased. Health, good order, and morals, were so visibly retrograding, that it now became needful to pass other acts to *check* the operation of the former. By the 12th and 13th William III., part of the preceding act was repealed, and all persons were prohibited from selling spirits by retail, without having first obtained a *licence*, like that for the sale of ale.

§ 50. Very frequent alterations in the spirit-laws took place after this time; sometimes based on fiscal, and sometimes on social, considerations. Indeed, no one subject has given Parliament a hundredth part of the trouble which this system of Licensing and Regulating the Traffic has done. The 1st Anne (cap 24), permitted tradesmen whose principal dealings were in other goods, to sell spirits by retail, *without a licence*, provided they did not allow tippling in their shops or houses. Again, in the following reign, encouragement was given to this baneful Traffic. The 2nd George II. (cap. 17) imposed a duty of £20 on the retail licence to sell spirits, which, for the first time, was ordered to be *renewed annually*. Spirits became cheap, and debauchery and degradation progressed at an alarming pace. As the *Penny Cyclopædia* observes, "a new and most pernicious element in the compound of mischief produced by public-houses, sprung into existence."<sup>†</sup> A clause was introduced into the 2nd George II., *placing Spirit dealers under the same regulations as Publicans*, in respect to 'Licences.' This act, after reciting the 'inconveniences' arising "from persons being licensed to keep inns and common ale-houses by justices living at a distance, not being truly informed as to the occasion or want of such inns, ale-houses, and victualling-houses, or the character" of the persons licensed, *provides that no licence to keep an inn, ale-house, or victualling-house, or to retail 'strong waters,' should be granted but at a general meeting of justices of the division.* The act was evaded, by reckless persons hawking colored spirits, with other

\* *Parl. Hist.* xii. p. 1213.

<sup>†</sup> The Middlesex Magistrates, in 1725, report that in London and Southwark there were 6,178 places "wherein geneva, or other strong waters, were sold by retail." Yet, they add, though giving a proportion in some districts of one to every seventh house, there is "reason to believe the report is very far short of the true number."

names, about the streets, and exposing them for sale on bulks, sheds, or stalls. The 6th George II. (1732) repeals the £20 licence, and striving to stop the evil which had been done, imposes a penalty of £10 upon the retail sale of spirits, *except sold in dwelling-houses!* Gin, at this time, was 6d. per quart. This shuttlecock legislation was a vain attempt to serve God and Mammon, to raise a revenue by the sale of spirits, without destroying the health and morals of the community. Coming after so many encouragements to drinking, this provision was not likely to be very serviceable. *Virtually, it left the sale open, by making every householder into a Publican*, and, as SMOLLETT remarks, "without making any regulation for preventing the excessive use of such liquors." Lord CHOLMONDELEY (Parl. Hist. xii.) describes this measure as extremely injurious ; the poor being restored to their liberty of getting drunk as usual, did, like men set free from gaol, make a most extravagant use of it. Under this open trade, gin was consumed, with an intemperance more resembling a tribe of savages than of a civilized people. The *Parliamentary History* of the period (vol. xii., p. 1213), records the fact, that signs were publicly hoisted, "drunk for a 1d. ; dead drunk for 2d. ; clean straw for nothing."

§ 51. Things had reached such a pass, that in 1735, the Middlesex Magistrates, in quarter sessions assembled, petitioned Parliament in these terms :—

"That the excessive drinking of spirituous liquors was debauching the morals, and driving into vice and wickedness, the lower orders of the people.

"That *spirits were sold by persons of all descriptions*, by which means journeymen, apprentices, servants, etc., were *drawn in to taste*, and by degrees to like, approve, and immoderately to drink thereof ; thus destroying the health, morals, peace, and strength of the lower orders," etc.\*

This petition being referred to a Committee of the whole House, it was resolved :—

"That the *low price* of spirituous liquors is the principal inducement to the excessive and pernicious use thereof.

"That in order to prevent this excessive and pernicious use, a discouragement be given thereto by a duty to be laid on spirits sold by retail.

"That the selling of such liquors be *restrained to persons keeping public brandy-shops, victualling-houses, coffee-houses, ale-houses, innholders, and to such Surgeons and Apothecaries as shall make use of it by way of medicine only.*" +

The Legislature, at last, seeing the frightful demoralization that was following the policy of former parliaments, appeared resolved to *annihilate* the Traffic in gin and strong waters. The fault, however, lay in the want of progressive preparation for that final result, 'most devoutly to be wished' ; since the Governmental power must never be strained too far, nor exerted

\* Maitland's *History of London*, p. 350.

+ *English Commons' Journal*, xxii., pp. 592, 586.

too suddenly, without a moral power to sustain its tension. The 9th George II. (1735-6) enacted that *Spirits* should not be sold in less than two gallons, *without a Licence*, for which £50 was to be paid ; and that 20s. per gallon should be levied upon *Gin*.\*

Here was a *prohibitory* law in effect, antagonizing instead of expressing the wishes of the people, but with fatal facilities of evasion, and totally devoid of the Maine-Law Machinery for making it effectual—*viz.*, *the simple destruction of the liquor*. The Act came in force, Sept. 29, 1736, and produced vast excitement. The populace of London, Bristol, Norwich, and other towns, honored what they called the “death of Madame Gin” with formal “funeral” processions, whereat many of her devoted admirers, male and female, got “gloriously drunk.” The distillers took out *Wine* licences, offered gin—spiced and wined—for sale, under a new name ; while *drams* were sold in the brandy shops, under the quaint appellations of ‘Sangree,’ ‘Tom Row,’ ‘Cuckold’s Comfort,’ ‘Parliament Gin,’ ‘The Last Shift,’ ‘Ladies Delight,’ ‘King Theodore of Corsica,’ ‘Cholic-and-Gripe-Waters,’ etc.—this last reminding us of a similar evasion of the late Scottish Public-house Act, practiced for awhile in Glasgow, where some druggists sold on the Sabbath, colored-whisky under the title of ‘Cholera mixture’! Lord CHOLMONDELEY said, on the part of government, that the law exposed them to *rebellion*, and that they had information of its being designed ; but by parading the troops in the dangerous locality, they had probably prevented riot and bloodshed. In March, 1738, a proclamation was passed to enforce the *Act*, and to protect the efforts of the officers of justice. In this matter, the government at least had more spirit and sense of duty than in our days of Beer-bills and Hyde Park mobs, if not more success. The consumption of spirits in England and Wales rose from 13,500,000 gallons in 1734, to 19,000,000 in 1742, and there were within the bills of mortality more than 20,000 houses and shops in which gin was sold by retail. As might be expected, *Informers* became objects of popular hatred, and were hunted through the streets. Of course, the more respectable Traffickers abandoned the proscribed business, which fell into the hands of reckless and disreputable men, who set at nought the provisions of the law. “Within two years of the passing of the *Act*,” says the historian,† though 12,000 persons had been convicted of offences against it, “it had become odious and contemptible ; and policy, as well as humanity, forced the commissioners of excise to mitigate its penalties.” The government relinquished the fruitless contest.

§ 52. Memorable debates took place in Parliament (those in the Upper House were especially remarkable for the enunciation

\* See Debate on Sir Joseph Jekyll’s motion. Chandler’s *Hist.*, vol. ix., p. 159.

† Tindal’s Continuation of *Rapin*, vol. viii. pp. 358, 388. Edition of 1739.

of sound principles and noble sentiments), and the obnoxious Act underwent some modification. On February 15th, 1743, the Lords read for the first time, a Bill "For repealing certain Duties on Spirituous Liquors and on Licences for retailing the same," which was ordered a second reading, and the Lords to be summoned. It imposed a *small duty* per gallon at the still-head, and the licence was to cost but 20s., which was to be granted only to such as had Licences for selling Ale. Some one, in the debate, talked of curing drunkenness by penalties. Lord HARVEY asked—"How can the laws be *remembered* in the heats of drunkenness?" A motion was made to call Physicians to the bar of the House.\* The BISHOP OF OXFORD said—"The increase of the sale of distilled spirits, and the propagation of all kinds of wickedness *are the same*. I should think, my Lords, that Government approaching its dissolution, that was reduced to submit its decrees to their judgment who are chiefly accused of the abuse of these liquors....The effect of the law was not less than any one who foresaw such opposition might reasonably have conceived. In this city [Westminster] alone, there were *before* the commencement of that law, 1500 large shops in which no other trade was carried on than that of retailing these pernicious liquors, in which no temptation to debauchery was forgotten, and, what cannot be mentioned without horror, *back rooms and secret places were contrived for receptacles of those who had drunk till they had lost their reason and their limbs*. Those that follow this trade under restraint, would pursue it more diligently if that restraint were removed. As to false informers, the sword of justice should have been drawn against both, nor should it have been laid aside, till both species of wickedness had been exterminated. When, my lords, was any design of great importance effected without difficulties? It is difficult, without doubt, to restrain a nation from vice; and to reform a nation already corrupted is still more difficult: but it is the duty of government to endeavor them. It has been found by experience, that *nothing can restrain the people from buying these liquors, but such laws as hinder them from being SOLD.*"† Lord TALBOT accused the government of laying poison in the way of the people, establishing by law a practice productive of all the miseries to which human nature is incident. The BISHOP OF SALISBURY was sarcastic. "To prevent the excessive use of anything by allowing it to be sold without restraint, is an expedient which the wisdom of no former age ever discovered." The Bill was read a second time, Feb. 21. Lord HERVEY, on that occasion, observed; "As it is the quality of this malignant liquor

\* Mr PORTER, in his 'Progress of the Nation,' cannot understand why *Physicians* should have been called before the House. It was with the view of placing spirits in the same category with other poisons.

† Timberland's *History and Proceedings of the House of Lords.* (London, 1743 vol. viii.

to corrupt the mind, it likewise destroys the body....Drunkenness not only corrupts men by taking away those restraints by which they are withheld from the perpetration of villanies, but by superadding the temptations of poverty—temptations not easily resisted even by those whose eyes are open to the consequences of their actions, but which will *certainly* prevail over those whose apprehensions are laid asleep, and who never extend their views beyond the gratification of the present moment. ... Instead, therefore, of promoting a practice *so evidently detrimental to society*, let us oppose it with the most vigorous efforts ; let us begin our opposition by opposing this bill, and then consider, whether the execution of the former law shall be enforced, *or whether another more efficacious can be formed*. ...No man, unacquainted with the motives by which senatorial debates are too often influenced, would suspect that after the pernicious qualities of this liquor, and the general inclination among the people to the immoderate use of it, it could be afterwards enquired, *Whether this universal thirst for poison ought to be encouraged by the legislature?*" Lord LONSDALE said—"In every part of this great metropolis, who-ever shall pass along the streets, will find wretchedness stretched upon the pavement, insensible and motionless, and only removed by the charity of passengers from the danger of being crushed by carriages or trampled by horses, or strangled with filth in the common sewers ; and others, *less helpless perhaps, but more dangerous, who have drunk too much to fear punishment, but not enough to hinder them from provoking it*....No man can pass a single hour in public places without meeting such objects, or hearing such expressions as disgrace human nature,—such as cannot be looked upon without horror, or heard without indignation, *and which there is no possibility of removing or preventing, whilst this hateful liquor is publicly sold*... These liquors not only infatuate the mind, but poison the body ; they not only fill our streets with madmen and our prisons with criminals, but our hospitals with cripples... Nor does the use of spirits, my lords, only impoverish the public by lessening the number of useful and laborious hands, but by cutting off those recruits by which its natural and inevitable losses are to be supplied. The use of distilled liquors impairs the fecundity of the human race, and hinders that increase which Providence has ordained for the support of the world. Those women who riot in this poisonous debauchery are quickly disabled from bearing children, or, what is still more destructive to general happiness, produce children diseased from their birth, and who, therefore, are an additional burden, and must be supported through a miserable life by that labor which they cannot share, and must be protected by that community of which they cannot contribute to the defence." The BISHOP OF SARUM nobly pleaded for the Young. "The *children*, my lords, to whom the affairs of the present generation must be trans-

ferred, and by whom the nation must be continued, are surely no ignoble part of the public. They are yet innocent, and it is our province to take care that they may in time be virtuous ; *we ought therefore to remove from before them those examples that infect, and those temptations that corrupt them.*" Lord HERVEY replied to counter-pleas in a speech full of the most dignified sarcasm. "Whoever shall be so far touched with the interest of the public as to extend his enquiries to the lowest classes of the people, will find some diseased and others vitiated,—he will find some imprisoned by their creditors, and others starving their children,—and if he trace all these calamities and crimes to their original cause, *will find them all to proceed from the love of distilled liquor...* It is our fortune to be witnesses of a new discovery in politics ; we may congratulate ourselves upon being contemporaries with those men who have shown that hangmen and halters are unnecessary in a state, and that ministers may escape the reproach of destroying their enemies, *by incising them to destroy themselves.* Almost every Legislator of the world, my Lords, from whatever original he derived his authority, has exerted it in the *prohibition of such foods as tended to injure the health, and destroy the vigour, of the people* for whom he designed his institutions...The *prohibition* of those commodities which are instrumental to vice, is not only dictated by policy but nature ; nor does it indeed require much sagacity, when the evil is known, to find the proper remedy ; for even the Indians, who have not yet reduced the art of government to a science, nor learned to make long harangues upon the different interests of foreign powers, have yet been able to discover that distilled spirits are pernicious to society ; *and that the use of them can only be hindered by prohibiting the SALE.* For this reason, my lords, they have petitioned that none of this delicious poison should be imported from Britain : *they have desired us to confine this fountain of wickedness and misery to our own country,* without pouring upon them those inundations of debauchery by which we are ourselves overflowed.\* When we may be sent with justice to learn from the rude and ignorant Indians the first elements of civil wisdom, we have not much right to boast of our foresight and knowledge ; we must surely confess that we have hitherto valued ourselves on our arts with very little reason, since we have not learned how to preserve either wealth or virtue, either peace or commerce." But not the least emphatic and remarkable of the speeches elicited in this debate, was that of Lord CHESTERFIELD.

"Luxury, my lords, is to be taxed, but *vice prohibited*, let the difficulty in the law be what it will. Would you lay a tax upon

\* The same petition has recently been presented by the Hindus to the English Government and the East India Company, praying for the *Prohibition* of the arrack shops, which as they observe, are *counteracting* the blessings of law and civilization conferred upon them.

a breach of the ten commandments? Would not such a tax be wicked and scandalous? Would it not imply an indulgence to all those who could pay the tax? Vice, my lords, is not properly to be taxed, but suppressed; and heavy taxes are sometimes the only means by which that suppression can be attained. Luxury, or that which is only pernicious by its excess, may very properly be taxed, that such excess, though not unlawful, may be made more difficult. But the use of those things which are simply hurtful in their own nature, and in every degree, is to be prohibited. None, my lords, ever heard, in any nation, of a tax upon theft or adultery, because a tax implies a licence granted for the use of that which is taxed, to all who are willing to pay for it. Drunkenness, my lords, is universally, and in all circumstances, an evil, and therefore ought not to be taxed, but punished. The noble lord has been pleased kindly to inform us that the trade of distilling is very extensive, that it employs great numbers, and that they have arrived at exquisite skill; and therefore the trade of distilling ought not to be discouraged! Once more, my lords, allow me to wonder at the different conceptions of different understandings. It appears to me that since the spirit which the distillers produce is allowed to enfeeble the limbs, vitiate the blood, pervert the heart, and obscure the intellect, that the number of distillers should be no argument in their favor; for I never heard that a law against theft was repealed or delayed because thieves were numerous. *It appears to me, my lords, that really, if so formidable a body are confederate against the virtue or the lives of their fellow-citizens, it is time to put an end to the havoc, and to interpose, whilst it is yet in our power, to stop the destruction.* So little, my lords, am I affected with the merit of that wonderful skill which distillers are said to have attained, that it is, in my opinion, no faculty of great use to mankind to prepare palatable poison; nor shall I ever contribute my interest for the reprieve of a murderer because he has, by long practice, obtained great dexterity in his trade. If their liquors are so delicious that the people are tempted to their own destruction, let us at least, my lords, secure them from their fatal draught, by bursting the vials that contain them. Let us crush at once these artists in human slaughter, who have reconciled their countrymen to sickness and ruin, and spread over the pitfalls of debauchery such a bait as cannot be resisted!"

The Bill passed, however, by a vote of 82 against 55—the Bishops of Canterbury, Asaph, London, Norwich, Gloucester, Oxford, Exon, Bristol, and Salisbury, and Lords Stanhope, Aylesford, Beaufort, and Gower, ranking amongst the dissentients. A Protest, containing the following passage, was signed by Lords Sandwich, Chesterfield, Talbot, Bristol, Halifax, Haversham, Aylesbury, Bedford, Oxford, and Ward:—

"We apprehend, that if an act designed to remedy such indisputable

mischiefs, was not found adequate, the wisdom of the legislature ought to have supplied its defects, and not have rescinded it by a law *authorizing* the manifold calamities it was calculated to prevent."

§ 53. Did the *relaxation* of the law improve the condition of things? Let us see. In 1750, the House of Commons was inundated with petitions, representing the consequences of the people being tempted to the use of spirits.\* The petitions of the Lord Mayor and Corporation of LONDON, states, "that the common and habitual use of spirituous liquors by the lower ranks of people, prevails to such a degree, that it destroys the health, strength, and industry of the poor of both sexes and all ages, inflames them with rage and barbarity, and occasions frequent robberies and murders in the streets of the Metropolis." The petition from the Minister and Churchwardens of St Martin's, WESTMINSTER, recites that in consequence of the *low price* of spirits, their use has become excessive—"the substance of the people is wasted—idleness and disorder have taken the place of industry—and robberies and murders are committed under their influence." The petition from BRISTOL states, "that the bad effects of spirituous liquors have become apparent in the destruction of the habits of the people—corrupting their morals, and rendering them incapable of manly employments"—reducing them to poverty, and *hardening* them to the commission of crimes of the utmost enormity. That of the Merchants, adds—"commerce was injured." These crowds of petitions almost universally affirm that the *great increase in the number of Gin-shops, and the low price of the article*, were the causes of its excessive use amongst the lower orders.

On these representations, the House again resolved "That it was necessary to REGULATE the sale of spirits by retail." Measures were adopted for the suppression of smuggling, and the celebrated Tippling Act was passed. Smuggling was very effectually checked, partly by being made less profitable, and partly by the activity of the Revenue Service. To understand the operation of this Act (24th George II. cap. 40), let us examine the Excise returns illustrative of the effects of the previous legislation of fifty years.† The quantity of 'low Wines' (as spirits are technically called) distilled from malted corn, had increased in the following manner:—

In 1694...1,885,752 gallons.	In 1734... 8,244,982 gallons.
1704...2,017,200	1744...10,581,900
1724...4,708,867	1750...11,200,000

By Section 12 of the Tippling Act, *no persons can recover for the price of spirits sold in less quantities than 20s. at one time.* It contains, also, a very significant provision, that *Brewers and*

\* Eng. Com. Journal, xxvi. pp. 55, 84.

† Vide the Report of the Commissioners of Excise on Corn Distillation. 13th January, 1784.

*Distillers shall not interfere with licensess, nor act as Justices in the granting thereof.* In 1751 the Excise returns exhibit the pleasing fact of a reduction in 'low Wines' distilled, to 7,022,000 gallons.

§ 54. The Act just noticed, by rendering spirits less accessible, did arrest the fatal 'Ginfluenza' which was spreading like an epidemic pestilence amongst the people of the large towns and cities of the empire, and diverted the depraved appetite towards the less pernicious article of Beer. Ale, the consumption of which had actually decreased since 1693, now rapidly rose, until it has become at last a more predominant instrument of mischief (though perhaps less injurious in itself) than the Spirits which it had displaced. The cure thus wrought was only partial and comparative, not *radical*—and therefore not *satisfactory*. This is confessed by an Act of Parliament two years later—the 26th George II. (1753), which brings us nearer to the present system. *This Act, after declaring former laws to be defective and insufficient, required the justices, upon granting licences, to take the recognizances of the persons licensed in £10, and two sureties of £5 for GOOD CONDUCT, but restricted the licences to those who produced a CERTIFICATE OF CHARACTER from the churchwardens and overseers, or three or four substantial inhabitants, and to a period of one year from September, and provided for notices of the licensing days.*

§ 55. The extended history of this Licence system precludes us from following it further in its details, and subsequent slight modifications. The duties on spirits were often altered during the next century, as they have been within a few months. With what effect, a page from the history of a middle period must suffice to tell.

*The Report of the Select Committee of the House of Commons on the Police of London, ordered to be printed the 11th July, 1828, states (p.7), that "to extended populations it has been suggested should be added, the extremely low price at which (since the reduction of duties) Spirituous Liquors are now sold, and a [consequent] general want of employment and neglect of children.*

"The lamentable effects of the first are too apparent to require much detail of evidence or lengthened argument to support; but the justness of the hypothesis will be upheld by reference to the evidence of a remarkably intelligent officer, whose duty requires a constant and accurate observation of what passes in the streets. [viz.]

"What effect has the reduced price of Gin had in your district?—I think there is a great deal more drunkenness—I think it *one of the worst things ever done in the world.*

"Do you find there is a great deal more drunkenness among people who are *not* thieves?—Most certain. The *first days* in the week you will always find somebody drunk; because there are few tailors and shoemakers that will work on the first days of the week."

And Sir RICHARD BIRNIE, the chief Magistrate of Police, in his evidence, states that

"*Simple larcenies, felonies, and common assaults* have increased to a very great degree; burglaries have also increased. I attribute this to increased

population, want of employment, and, though last not least, *cheap Spirits*. I am afraid that depraved characters create the greater number of crimes more than mere want of employment. A great deal is owing to the drunkenness that every human being must observe in the streets since *Gin is so cheap*. In the next Licensing Bill I hope it will be looked to."—pp. 34, 38.

At the Middlesex Sessions, held on Thursday, 21st January, 1830, "Mr SERJEANT BELL alluded to the increase of the consumption of Gin as a dreadful and horrible evil. A year ago there were 825 inmates in the Middlesex Pauper Hospital, but now the number was between 11 and 1200, the increase being mainly attributable to the practice of Gin drinking. Sir GEORGE HAMPSON said that the Gin shops were now decorated and fitted up with small private doors, through which, women of the middle, and even above the middle classes of society, were not ashamed to enter, and take their dram, when they found they could do so unobserved. Sir RICHARD BIRNIE bore testimony to the dreadful prevalence of drunkenness in the Metropolis : there were 72 cases brought to Bow Street on the Monday previous, for absolute and beastly drunkenness, and what was worse, *mostly women, who had been picked up in the streets*, where they had fallen dead drunk : but while he deplored the enormity of the evil, he declared that it was difficult to find any remedy for it."\* All this is within the recollection of the writer, who, though yet young, witnessed the effect of that unfortunate measure, and has cut out these facts from the fugitive literature of the day. The same accounts poured in from the most distant parts of the kingdom.

The rapid increase of Spirit-shops in DUBLIN induced the inhabitants of St Mary's parish to meet, in their vestry room, on the 30th December, 1829, and to enter into resolutions for the correction of the growing evil.† Accounts from EDINBURGH state, that "the consumption of Ardent Spirits has increased to an alarming excess, as is manifest from the brutal spectacles of intoxication which are daily seen in the streets of the city."‡ And this striking *aggravation* of an old evil resulting from the addition of the facility of cheapness to the facility already presented in the number and vicinage of the dram-shops.

§ 56. In 1828 a general act to regulate the granting of Ale-house licences was passed (9th George IV.), which repealed all former statutes on this subject. The following are the chief provisions of it :—

1. "Licences to be granted *only from year to year*, at a Special Session of Magistrates; with power of applicant to appeal to the Quarter Sessions in case of refusal of licence: and the refusing Justices not to vote there.

2. "Applicants for licence to affix notice of their intention of applying, on the door of the house, and of the church of the parish in which it is

\* From the *Times* of January 25, 1830.

† *Morning Post*, January 5, 1830.

‡ *Edinburgh Evening Courant*, January 28, 1830.

situated, for three prior Sundays, and serve a copy on one of the overseers and one of the peace officers.

3. "In case of actual or apprehended tumult, two Justices may direct the publican to close his house: disobedience to be esteemed as disorder.

4. "The licence stipulates that the publican shall not adulterate his liquors, or allow drunkenness, gaming, or disorder; that he shall not suffer persons of notoriously bad character to assemble therein; and that he shall not, save to travellers, open his house during Divine Service on Sundays and holy-days.

5. "Heavy and increasing penalties for repeated offences against the terms and tenor of the licence; Magistrates at Sessions being empowered to punish an alehouse-keeper, convicted by a jury of a third offence, by a fine of £100, or to adjudge the licence to be forfeited."

By the 2nd and 3rd Victoria, called the *Metropolitan Police Act*, operating within a circle of fifteen miles from Charing Cross, all public-houses are to be shut on Sundays until one o'clock p.m., *except for travellers*; and publicans are prohibited, under penalties of £20, £40, and £50, for the first, second, and third offences, *from selling spirits to young persons under 16 years of age*. The same provision now applies to every part of the country, and has been followed with very beneficial results.\*

\* The WILSON PATTEN ACT of 1854, closed public-houses and beershops on Sunday, from half-past two o'clock p.m. until six p.m., and from ten o'clock on Sunday evening until four a.m. on Monday. During the few months of its operating, there was a sensible abatement of drunkenness and disorder, as is testified by the returns from the police, throughout the country. We cite places by way of specimen. *Warrington*: "A most remarkable difference is observable in the general order which prevails throughout the town, as well as by the disconfinance of fearful affrays, and riotous conduct." *Liverpool*: "The new Act," says Mr GRIGG, head-constable of the police, "has been attended with the most beneficial results." *London*: Mr G. A. BECKETT, magistrate of the Southwark Police Court, in a letter to the *Times*, Jan. 8, 1855, says, "that on the Monday mornings before the Act, the business of the court was greater than on any other days, but that since it had only averaged two cases of drunkenness for each Sunday." In 1855, the Wilson Patten Act was superseded by the New Beer Bill of Mr HENRY BERKELEY, which extended the hour of closing to eleven at night, and gave a little more freedom to the traffic on the Sunday afternoon. The history of this remarkable piece of legislation is worth preserving, as a monument of its author's character. In a speech delivered by him, at the second anniversary dinner of the Licensed Victuallers' Association, Bristol, reported in the *Bristol Mercury*, of Nov. 4, 1854, he said, that after Wilson Patten's Bill had passed the second reading, he had been waited on by a deputation, but that being the 'eleventh hour,' no successful opposition could then be offered. He believed the words he used to the deputation were, 'If nobody else comes forward I will have a *shy* at it.' This, it will be seen, was just before the bill became law, and, therefore, before it had gone into effect. Mr Berkeley opposed it without trial, and stood pledged against it without regard to its results. On the 20th Feb. 1855, immediately after the meeting of Parliament, Mr Berkeley, in his place in Parliament, enquired of the Government, whether they intended to do anything in reference to the act, and received a reply that it was not their intention to repeal it. Mr Berkeley then recommended the appointment of a select committee. This created considerable division among the Publicans, who held many meetings for discussion, at all of which Mr Berkeley was recognized as 'their experienced and talented adviser.' (See the *Daily News*, April and May, 1855, and *The Era* of 22nd April). On the 23rd of April, a meeting of delegates is reported in *The Era* of the 20th, to have been held in Mr Painter's Public-house, Bridge Street, Westminster, which resulted in the appointment of a deputation to consult with Mr Berkeley. The deputation is reported to have waited on Mr Berkeley, in the lobby of the House of Commons. "A long desultory conversation ensued, after which Mr Berkeley advised the delegates to confer among themselves, and to consider well the course which would be most beneficial for them to pursue. *He would postpone for us*

§ 57. We have now to refer to one of the saddest mistakes ever made by any Legislature—one which has thrown back moral civilization for several generations, and hindered the success of efforts and circumstances of an ameliorating tendency to an extent beyond all human calculation. It was perfectly legitimate to favor the consumption of ale by way of *weaning* the people from the passion for gin, which possessed them in the last century, but to multiply the *facilities* of drinking, already too large, and to plant these facilities in rural districts, where the appetite for Spirits had not been formed, was *at once to originate a new curse and to aggravate an old one*.\* Yet statesmen, professionally, *ought* to have known the actual working of the Licensed houses. Whenever that which troubled Parliament most was enquired into—we mean the progress of disorder and crime,—the evidence never failed to bring to view the atrocities of the Traffic—the *fons et origo* of the national malady. Take, for example, the evidence presented by the 'Report of the Select Committee [on Criminal Laws,' 1819-20, as referred to in the following passage extracted from the *Quarterly Review*, of October, 1820 :—

"Public-houses are almost equally objectionable [with public fairs]. There are such multitudes of these, in town and country, perpetually holding out allurements to those classes of the community who are the least able to resist them, that they can be regarded in no other light than *as seminaries of iniquity, of which no principle of political economy that we are aware of can justify the continuance...* It is *in them* that time and money, which tradesmen and laborers can ill spare, are spent; domestic unhappiness created and increased; bad connexions formed; familiarity with crime established, and consent too often given to become participants in its perpetration. It is *there* plans for the commission of crimes are usually

*week his motion for a select Committee*; in the meantime, it would be to the interest of the trade to hold meetings, and confer generally upon the most available course to pursue." Eventually, his advice was accepted, and on the 26th June, 1835, his motion for a select committee was agreed to by the House—Mr Cobbett, the seconder, remarking that no legislation could be attempted that session. Mr Berkeley became chairman. The evidence received was, with one exception, *Metropolitan*. The *facts* deposed to were almost uniformly favorable to Wilson Patten's Act. The *opinions* elicited, in some cases, against it. The evidence suggested by the friends of the Act was *not taken*. The enquiry was abruptly closed, on the motion of Mr Cobbett. A report was presented, which was *avowedly incomplete*,—and legislation was immediately proceeded with! As soon as the New-Bear-Bill had been thus precipitately carried through the Commons, it was hurried through the Lords, the standing orders being set aside for the purpose. Mr Berkeley is reported in the *Morning Advertiser*, of 4th August, 1835, to have headed a deputation of Licensed Victuallers to Lord Granville, President of the Privy Council, to secure his support for the measure. In due course, the bill became law. Since that period, Mr Berkeley has never defended his conduct at *public* meetings. He has attended Licensed Victuallers' Meetings, and has sought to clear himself from the strictures of the friends of Wilson Patten's Act, by speeches rarely equalled in scurrility and coarseness.

\* When we recollect the superstitions, because unenquiring, opinions then entertained as to Beer and Ale, we can hardly wonder at this legislative blunder. Even three years later, on the motion of Sir William Inglby for the Repeal of the Malt Duty, we find Mr Buckingham, an ardent friend of Temperance, characterizing Beer as "a *cheap, wholesome, and nutritious* beverage for the laboring classes"!

prepared and arranged; and *there* the actors in them almost invariably assemble after they have been committed. We entreat those of our readers who are in possession of the *Report of the Committee on Gaols*, to turn to the evidence of Dr LUSHINGTON, printed at page 162, and they will find proof of the encouragement and assistance which public-houses lend to delinquents, of which, till then, they probably had no conception. *The scenes of depravity there disclosed reflect disgrace on the licence system, on the whole police of London, and excite wonder and astonishment that such deeds could be acted, night after night, without color or concealment, in any country where criminal law exists, and social order is established.* If the multiplication and management of public-houses really augment misery and guilt as much as we have now supposed, *the good they do to agriculture and the revenue by the sale of spirits is but a slender compensation for the evil they occasion.* To connive at dissolute or desperate habits, because they may afford a temporary supply to an exhausted treasury, will be thought but a miserable shift for any minister as long as any sense of right and wrong is left among us. It has not even the merit of a word at all expedient; *for private vices, when traced through all their consequences, will never prove to be public benefits;* and we believe no prodigal being ever disposed of his expectations so improvidently as a finance minister who, for any sum of ready money, virtually assigns the expectant virtue of his country."

Overlooking all this, however, and the no less patent fact that Beer as certainly intoxicates, embrutes, and criminalizes its devotees (if not as rapidly) as spirituous liquors, parliament attempted to secure a cheap and unadulterated *beer for the million* by "An Act to permit the general sale of Beer and Cider by retail in England" (1st William iv.), of which the following are the most material provisions:—

1. That any *householder* desirous of selling malt-liquour, by retail, in any house, may obtain an excise licence on payment of two guineas, and for cider only, on paying one guinea.
2. That a list of such licences shall be kept at the Excise office, open to the inspection of the Magistrates.
3. That the applicant must give a bond, and find surety, for the payment of penalties incurred.
4. Penalty for vending wine and spirits, £20.
5. In case of riot, Magistrates can command the closing of the houses.
6. Penalties for disorderly conducting of the house.
7. Not to open before four a.m., and to close at ten p.m., and during divine service on Sundays and holy-days.

This act, therefore, creates a new class of houses and landlords, commonly called 'Jerry Shops' and 'Jerry Lords.' The consequences of this facility of obtaining licences, by a small pecuniary payment, and without the troublesome and expensive process necessary to obtain 'A Licensed Victuallers' privilege, were a rapid multiplication of ale houses throughout the country, and the raising up of an interest \* which has hitherto prevented the repeal of the measure, and threatens to domineer over Parliament itself, through its members.

\* There are 41,517 beer shops. The Licensed Victuallers number double that: viz. 89,866. Total 131,413.

By 4th and 5th William IV., the preamble whereof recites *that much evil had arisen from the management of houses in which BEER and CIDER are sold*, it was enacted that each Beer Seller is to obtain his annual Excise licence *only on condition of placing in the hands of the Excise, a certificate of good character signed by six rated inhabitants of his parish* (none of whom must be Brewers or Maltsters), if in a town of 5000 inhabitants ; but the house to be one rated at £10 a year. This act also distinguishes between persons who sell liquor *to be drunk on the premises*, and those who sell it only to be drunk elsewhere. By a Treasury order, beer sold at, or under, 1*d.* per quart, may be retailed without licence.

By the 3rd and 4th Victoria, which amends the two preceding acts, a licence can only be granted to the *real* occupier of the house ; and the rated value to be £15, in towns of 10,000 inhabitants ; £11, in towns of between 2500 and 10,000 ; and £8 in smaller places. The hours for opening and closing within the metropolitan boroughs are 5 a.m. and 12 p.m. ; but 11 o'clock in any place within the bills of mortality, or any city, town, or place not containing above 2500 inhabitants. In smaller places 10 o'clock p.m. On any Sunday, Good Friday, or Christmas Day, or any day appointed for a public fast or thanksgiving, the houses are not to be opened before one o'clock p.m. Licensed Victuallers and Keepers of Beershops who sell Ale *to be drunk on the premises*, may have soldiers billeted on them.

§ 58. What has been the success of these last measures, so much relied upon by politicians, and which formed the groundwork of such glowing prophecies at the time ? It really seems, as if History, instead of being 'Philosophy teaching by example', had brought forth her painful records merely to be ignored : nay, the truth is, that the course of modern British Legislation has run *directly counter* to the clearest lesson which the history of the Traffic has taught us. For 300 years, we have been attempting to regulate the very fountain of *misrule*, and the failure stands confessed in the bulky records and Blue Books of Parliament itself.

Three years after the Beer-shops were opened (viz. in 1834), a select committee of the House of Commons was appointed to enquire into the "Extent, Causes, and Consequences of the prevailing vice of intoxication," (as noticed in § 6). This Committee, composed of some of the most eminent members of the House, including the late Sir ROBERT PEEL, sat for upwards of twenty-one days receiving evidence. The Official Report tendered a number of recommendations for repressing the manufacture, importation, and sale of alcoholic liquors, showing that this national disease of drunkenness stood in need of sharp and speedy remedies ; and that the administration of these remedies was clearly within the province of the Legislature. One of the concluding suggestions was to the effect, that the government

should advise and order "a public declaration of their determination to introduce early in the ensuing session, some general and comprehensive law for the progressive diminution and ultimate suppression of all the existing facilities and means of intemperance, as the root and parent of almost every other vice." Unfortunately, this challenge was not responded to, and the system of iniquity, under the shield of law, has been permitted to exist and extend its ravages, until the disgraceful fact is recorded, in the last Committee on Public-houses, of one of our principal cities, in the year 1852, that the cases of persons actually taken into custody by the police for being found drunk and disorderly, is in the proportion of 1 to 20 of the population.\*

§ 59. In 1849-50 the EARL OF HARROWBY obtained a Committee to enquire into the operation of the Beer Bill, before which evidence of the most conclusive description was presented as to its demoralizing effects. More than 40 Chaplains of Gaols, both in manufacturing and rural districts, give evidence, from which we here extract only a few testimonies.

Rev. J. FIELD, of Reading Gaol, had "ascertained by investigation, that about *four-fifths* of the offences committed by the agricultural population, are traceable to beerhouses."

Rev. W. C. BISHOP, of Northampton Gaol, was "led to conclude, from experience, that beerhouses, *by increasing the temptations to drunkenness*, have greatly contributed to the increase of crime."

Rev. W. BUTLER, of Nottingham Gaol, says, "Beerhouses operate in producing crime by providing occasions, more numerous and cheaper than otherwise would exist, *for contracting drinking habits, bad companionships, and directly criminal engagements.*"

The Rev. LEWIS PAIGE, Chaplain of Newcastle Gaol, says,— "Having closely interrogated each prisoner as to the cause of their incarceration, has received answer (with one single exception), that it was *the facility afforded in beershops for the indulgence of their drinking propensities.*"

The Lords report of the Beerhouses, that "a very large proportion are, as in the case of public-houses, the actual property of brewers, or *ties* by advances to them; that they are notorious for the sale of an inferior article; that the [absolute] consumption of ardent spirits has, from whatever cause, far from diminished; AND THAT THE COMFORTS AND MORALS OF THE POOR HAVE BEEN SERIOUSLY IMPAIRED."

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\* Owing to a bad system of describing and dividing crime in the country, the *whole* of Police Drunkenness (by no means equal to actual drunkenness,) is not seen in the returns. When a man, for example, is excited, or 'half-and-half'—and commits *an assault* then he ranks under that higher class of offenders, though he *also* belongs to the other. *Three-fourths* of all the assault and stabbing cases should be added to those of drunkenness in estimating its extent as a Public Nuisance. In many places the police take little notice of simple drunkenness.

§ 60. The Reverend Chancellor RAIKES, at a public meeting, convened to consider the subject of Reformatory Schools for Juvenile Delinquents, went direct to the root of that question, in the following words :—

“ If,” said he, “ it should ever be asked, as assuredly it would, how is it that the parents in England are found deficient in those moral and natural feelings which usually bind the parent to the child—that a country which possesses the Bible, and boasts of religious privileges, is still more backward than any other country of the world in the fulfilment of its duties? the only answer that could be given was, that there was one prevailing vice among the lower orders of England, which the legislature could and must meet, if it ever hoped to check these evils. Something must be done to stay the awful curse of drunkenness in this country. He appealed to his reverend brethren around whether destitute children were not invariably the children of drunkards? *The vice of drunkenness had been encouraged and fostered by repeated Acts of Parliament, which had brought the evil to its present pitch. He was old enough to remember the introduction of the Beershop Act; and he had seen its effects spreading like a blight all over the country; villages, which formerly were like the creations of romance—so beautiful were they—had become the scene of every evil.* When he resided some years ago in the county of Sussex, there was not an outrage committed which had not its origin in a beershop.”

The Licensed Victuallers endeavor to make the beerhouses the exclusive sources of disorder and crime; they did so, not long since, at Bradford, when the indignant Jerry-lords were summoned together, a few nights after, to protest against “ the unfounded aspersions continually heaped upon their calling, by the *pseudo-moralist*, by some portion of the local press, and by other parties interested in making beerhouses the *scape-goat* for the sins of the whole nation.” We, at all events, will deal out most even-handed justice to both the members of the ‘Upper’ and ‘Lower’ branches of the Traffic.

Mr R. BURDEN, Chairman of Quarter Sessions, at Durham, says :—

“ Offences of violence and robbery sometimes stated to have occurred in beerhouses; but as to their chief cause, drunkenness, public-houses are equally to blame. As a Magistrate, can state positively that their influence is very pernicious. It is well known that spirituous liquors are sold in beerhouses, though it is most difficult to convict, their localities being out of the way of the police. The keepers of bad character, and the scenes which occur in them of a bad description.”

The Rev. GEORGE HANS HAMILTON, Chaplain of County Gaol, Durham, says :—\*

“ Finds that nearly all houses of ill fame are beerhouses, and that spirits are sold in them, though the proprietor has no licence for so doing. Are preferred by persons who are given to gambling, etc., because they are not so likely to be disturbed by the police. Is informed that keepers of beerhouses in towns are frequently receivers of stolen goods. *Has ascertained, from entries made in each case, that of prisoners, 24 per cent are ‘mischiefously drunk’ at the time of their offence; and that the love of drinking was*

\* Lords’ Report on Beerhouses, 1860.

*the cause of their falling into crime, to the amount of 31 PER CENT. Considerers that half the crime of the county is committed between Saturday afternoon and Monday morning, and in these cases almost every offence is directly or indirectly connected with public-houses or beerhouses."*

The *Globe* newspaper truly said, that "the injury done by the Beer Act to the peace and order of rural neighborhoods, not to mention domestic happiness, industry, and economy,—had been proved by witnesses from every class of society, to have exceeded the evils of any single act of internal administration passed within the memory of man."

§ 61. In 1853, a select committee of the House of Commons was appointed to examine into the system under which Public Houses, etc., are regulated, with a view of reporting whether any alteration of the Law can be made for the better preservation of the public morals, the protection of the revenue, and for the proper accommodation of the Public; which sat for 41 days, examining witnesses and considering evidence, under the able Presidency of the Right Hon. C. P. VILLIERS (§ 29). The Report and Evidence, now published, form two ponderous Blue Books, of 1174 folio pages. The chief points of the *Report from the Select Committee on Public-houses*, July 1854, are the following:—

1. The distinctions as to Licences lead to evasion of the law.
2. The distinctions between Beershops and Public-houses give rise to unhealthy competition, under which both parties are drawn to *extreme expedients for the attraction of Custom*. Mr STANTON, a Publican, says, "There is a great deal of gambling carried on in Birmingham, although the Police do all they can to put it down. If the Licensed Victuallers did not allow it, the parties would go to a beerhouse."
3. *Beer is seldom at the Public-house what it was at the Brewery*. A late Partner in one of the Metropolitan breweries says:—"It is quite notorious if you drink beer at the brewery, and at a Public-house a little way off, you find it a very different commodity" (4538).
4. The drinks are *adulterated*, as well as diluted. Mr RIDLEY, who has under his management certain offices for the analysis of alcoholic liquors, states that there are several *recipes*, such as "To a barrel of Porter [add] 12 gallons of liquor, 4 lbs. of froths, 1 lb. of salt; and sometimes to bring a head up [and lay it down ?], a little vitriol, *coccus indicus*, also a variety of things very minute" (4700). Mr J. W. McCULLOCH, analytic chemist, in 40 samples of Brewers' beer, found 10½ gallons proof spirit to every 100 gallons, but at several of the licensed Victuallers supplied by those brewers, it did not reach 7; and out of 150 samples, there was not 1 within 20 per cent of the brewery Standard.
5. That Magistrates do not enforce the law, or very rarely.
6. "*The Beershop system has proved a failure*. It was estab-

"blished under the belief that it would give the public their beer  
"cheap and pure ; would dissociate beer-drinking from drunken-  
"ness, and lead to the establishment, throughout the country,  
"of a class of houses of refreshment, altogether free from the  
"disorders *supposed* to attend *exclusively* on the sale of spirits."

7. The committee concur in the statement of the Lords' Report on the Sale of Beer Act, that "It was already sufficiently notorious that drunkenness is the main cause of crime, disorder, and distress in England ; and it appears that the multiplication of houses for the consumption of intoxicating liquors, which, under the Beer Act, has risen from 88,930 to 123,306\* has been thus in itself an evil of the first magnitude, not only by increasing the temptations to excess, which are thus presented at every step, but by driving houses, even those under the direct control of the Magistrates as well as others originally respectable, to practices for attracting custom, which are degrading to their own character, and most injurious to morality and order."

8. That throughout the country "the publicans are completely under the thumb of the Brewers." In Norwich, out of 566 licensed victuallers, only 18 are free to deal with whom they please (1845). At Lyme Regis, of 124, 100 are *ties* (1867). At Ipswich, of 125 licensed houses, 102 belong to brewers. At South Shields, says Mr JAMES MATHER, spirit merchant, 40 beerhouses and 123 licensed victuallers are all *ties* (9510).

9. "The trade of a Publican is looked upon as a peculiar privilege (2923) ; but in proportion as the magistrates endeavor to keep down the number of Public-houses, does the number of beerhouses increase. *The hope of obtaining a licence increases beershops.*"

10. "It seems desirable that in future a higher rate of duty shall be paid for a licence, and more stringent regulations enforced, as to character and sureties."

11. "Statistics of Intemperance defective. In the majority of provincial towns, the number of the police force is so small, that it is impossible they should take cognizance of any cases of drunkenness not connected with riot or disorder ; whilst amongst the beerhouses in rural districts, every house may have its cluster of drunkards, who, for drunkenness at least, are never included in any return.

"The evidence before the Committee is sufficient to show that the amount of drunkenness is very much greater than appears upon the face of ANY official returns."

12. There are beside [the 131,413 licensed houses in England and Wales] many places where beer is sold without a license. Some of them, under cover of the law, permitting beer at 1*½*d. "a quart to be sold without licence, sell also porter and ale."

\* This seems understated.

(6882.) "At the single town of FAZELEY, there are about 30 houses that sell porter, ale, and beer indiscriminately ; they are private houses, known as 'Bush-houses,' from their having 'a bush over the door, as a sign to their frequenters.' " (4838, 6840.) At OLDHAM, "there are from 400 to 500 such places, known there as *Hush-shops*, where they brew their own beer, and have each their own known customers." At Bolton, at Preston, and in Hampshire and London, similar practices are more or less prevalent. (3664, 3679).\*

13. "The temptation is strong to encourage intemperance, and a vast number of the houses for the sale of intoxicating drinks live upon drunkards and the sure progress of multitudes to drunkenness."

14. "Your Committee do not feel it necessary to follow the evidence upon the connexion of intoxicating drinks with crime ; [it has, directly or indirectly, been the subject of enquiry at different times, and has been reported upon by numerous Committees of your Honorable House, who bear unvarying testimony both to the general intemperance of criminals, and the increase and diminution of crime in direct ratio with the increased or diminished consumption of intoxicating drinks...The entire evidence tends to establish, that it is essential that the sale of intoxicating drinks shall be under strict supervision and control.]"

15. "The testimony is universal that the greatest amount of drinking takes place on SATURDAY NIGHT, and during the hours that the houses are allowed by law to be open on SUNDAY."

16. "It need not be matter of surprise that in view of the vast mass of evils found in connexion with intemperance, it should have been suggested altogether to prohibit the manufacture and sale of intoxicating drinks. Laws to that effect are in force in the States of Maine, Massachusetts, Rhode Island, Vermont, and Michigan, in the United States ; and your Committee have had before them several zealous promoters of an Association established to procure the enactment of similar laws in England."

§ 62. Here, then, by the last evidence of Parliament and by the cumulative testimony of History, under varying conditions and circumstances of trial, the *Traffic* stands condemned as essentially mischievous and unchangeably dangerous. Regulation may repress, but cannot extinguish, its evil issues. It is a Traffic—for reasons explained—implacably hostile to the true interests of society, to moral culture, to industry, and independence. Britain has tried—and other nations have tried—restriction and regula-

\* If such facts could be attested as to Portland, in Maine, what a noise would be made of the failure of the Maine Law, by the *Economists*, *Spectators*, *Leaders*, and *Weekly Despatches*. How is it that the Publicans and their Press do not insist on the failure of the *Licence System*, and come out for an Open Trade in strong-drink? Do they really think Law so very inefficient, because it is not omnipotent?

tion. The experiment has failed ; miserably failed. The Traffic, in spite of all, has outlawed law and defied control, and the Legislative restrictions of the past have never done more than modify—leaving the vast burden of pauperism and crime almost untouched, and acting as a dead-weight and drag upon the chariot-wheels of Civilization. For half-a-century, with all the moral appliances of this wondrous mother-age, we have been but beating the air, wasting in conflict with a law-nurtured vice, that energy which, directed to positive conquests of Knowledge and Humanity, would have carried us onwards to an era of Peace and Power and Purity yet afar off. The true illation from these facts of History seems to be, that the Traffic which tramples upon law, and ministers to misrule, should *itself* be OUTLAWED and PROSCRIBED. Vices and crimes, and their certain causes, should be *prohibited*. If Legislation, then, as we have it on this matter, has pitifully failed, and is even now confessedly at a dead-lock, the principle must be wrong. It is *suppression*, not sanction, that we require ; and it is, we believe, only in the light of the MAINE LAW that our people and parliament will discover the key by which to unlock that problem of pauperism, crime, and taxation, now pressing so heavily and increasingly upon them.

## CHAPTER IV.

"THAT NO CONSIDERATION OF PRIVATE GAIN, OR PUBLIC REVENUE, CAN JUSTIFY THE UPHOLDING OF A SYSTEM SO UTTERLY WRONG IN PRINCIPLE, SUICIDAL IN POLICY, AND DISASTROUS IN RESULT, AS THE TRAFFIC IN INTOXICATING LIQUORS."

§ 63. "*It is never doubted that the greatest earthly curse is the Sin of intemperance.*"\* What, then, must be the guilt of the soul, that, for private and venal ends, fosters and feeds a system which, in the nature of things, spreads and perpetuates that prodigious vice? We have already piled proof upon proof, and advanced testimony after testimony to the very verge of weariness, in illustration of a fact so patent that all must feel it—viz., that the Traffic in strong drink is a traffic in temptation and seduction, which evermore ends in the demoralization of the masses. As Mr VILLIERS, in his Report to Parliament, suggests, *the direct ratio of crime is the direct ratio of the success of that trade*—or, in other words, the measure of the prosperity of the Traffic is likewise the measure of the people's misery. We do not stop to discuss the varying degrees of moral and criminal indifference, or of conscious guilt, attaching to the characters of the Traders themselves;—we do not care to distinguish the 'low' from the 'high,' or the £8 house from the £50, or £500, each adapted to its class;—much less do we enter into any judgment of those intentions with which Publicans may be animated, or Perdition may be paved,—ours is a plainer and more solvable problem—namely, what is the *tendency*, and therefore *character*, of the Traffic as a whole, one and indivisible? By its fruits, we presume, like all other systems, it must be known: if good, to be cherished; if evil, to be cut down. The evidence adduced before the Parliamentary Committee indeed, shows that the monster brewers,—the Barclays, Buxtons, Hanburies, and Meuxs—are the responsible creators of some of the worst incidents of the Traffic. We refer especially to that system of tyranny connected with '*tidy hours*'—a system which necessarily incites to those extended frauds of adulteration of which we hear so much, and to those discreditable artifices and varied temptations

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\* This is the language of the *Birmingham Journal* of March 3, 1855, in its leader against the 'Alliance,' after the defeat of the Publicans in the Town Hall.

to drinking whereof we hear too little. The higher the *personal* character of Capitalists may be, the more baneful is their influence when serving as a screen to the horrors of the *process* which they are carrying on—no matter whether that process is the breeding of slaves, or the setting up of beershops and taverns that besot and brutalize a people. If none but *bad men* carried on *bad businesses*, such trades would soon go out of fashion.\*

§ 64. We summon our witnesses from the past and the present, from Bar and from Bench, from pulpit and from platform; from the busy town and the quiet hamlet; from the loom and the land; from the riot and revel of the Gin-palace and the enforced silence of the gaol.

Dr OLIVER GOLDSMITH: “*Alehouses are ever an occasion of debauchery and excess*, and either in a political or religious light, it would be our highest interest to have them *suppressed*.†

ARTHUR YOUNG, F.R.S., Dublin: “It is an observation that has been repeated to me in every part of the kingdom, and such variety of instances given, all tending to the same result, that the fact is established beyond all controversy: *Multiplied Alehouses are multiplied temptations.*‡

Rev. ROWLAND HILL: “*Public-houses, the bane of the country, excite the strongest indignation in my mind.*”||

A LEEDS BREWER: “I have had 30 years’ experience among that body of men [Publicans], as brewer, maltster, hop, wine, and spirit merchant. I have frequently said it was wrong to be bound to sell such *trash* as the unprincipled part of the brewers and merchants *force* upon them. *I have seen and heard of all sorts of crimes in these houses.* The old licensed victuallers are no better, as a body, than the beersellers... If all public-houses were closed at 11 o’clock at night, it would answer all purposes [?] six days in the week; and on Sunday from one to three, and from six to nine. *A great number of honest, well-meaning men* have to work, and go at night to take a *glass*, from eight to eleven. *In consequence* of those houses remaining open till three or four in the morning, *they frequently stop till one, two, three,*

\* “*It is the capital of the Birk which surrounds men with temptation to self-murder.* The retailer takes shelter under the wholesale dealer, from whom he purchases the pernicious draught; and has he not a right so to do? Can we expect his conscience to be sensitive, when he treads in the steps of men of reputation? Of the character of those who vend spirits, I do not judge. They grow up in the belief of the innocence of the traffic, and this conviction they may sincerely retain. But error, though sincere, is error still. Right and wrong do not depend on human judgment or human will. Truth and Duty may be hidden for ages; but they remain unshaken as God’s throne; and when, in the course of God’s providence, they are made known to one or to a few, they *must* be proclaimed, whoever may be opposed. Truth, truth, is the Hope of the World. Let it be spoken with kindness, but with power.”—W. E. CHANNING, D.D.

† *Works*, vol. iv.

‡ *Inquiry into the State of the Lower Classes*; in a Letter to William Wilberforce, Esq., M.P. Dublin, 1798.—p. 30.

|| Letter to Hannah More.

*four, going home at various times; having lost the balance of reason in liquor, they are misled by the dishonest and profligate...* An industrious man frequently goes into these houses after work, with an intention of taking a glass or two, but in consequence of the company present, and the facility that the law allows the innkeeper, he is persuaded to stop. In consequence of that he is not able to get up to attend to his business at the proper time."\*

Messrs FEARON, Gin-spinners, Holborn Hill: "We consider we are promoting the moral improvement of the people, by offering every advantage to the very poorest purchaser to obtain the best article [in gin] for his consumption at home,\* without exposing him to the temptations incident to those establishments where drinking is allowed on the premises."†

Mr J. STINTON, Publican: "I do think it would be a good thing for the *morals* of the people, if about *one-half* of the beer-houses of Birmingham were to be shut up." (3792.)‡ "Many beerhouses are kept by foremen in different manufactories; perhaps he has a dozen men under him; these men are bound to go to that man's house,\* and their wives and homes sacrificed." (3780.) "It matters not how much bread is sold, it is an *advantage* to the poor; but the *free trade* of spirits and ale requires more *control*! Free trade in *spirits* would be *very* mischievous." "Proposing to restrict it on *Sunday* evening, is an excessive restriction. You may have too much of a good thing." (3784, 88.)|| "There is something attractive in seeing a licensed victualler, with all the appliances of his trade about him; there he is with his pipe in his mouth; *it all looks so tempting, which is not the case in any other trade.*" (3760.)

Mr J. POWELL, Cabman, London: "They are drawn into the public-houses from their being open; *they cannot withstand the temptation.*" (945.)

Mr C. BOWTHORPE, Coach Painter: "I have heard people say that they wished the public-houses were closed, that they should not be *tempted* to go into them. A man in my neighborhood took a petition round, and he was laughed at, because it is known he used the public-house more than he ought; but he got 370 signatures for all that." (842.) "From what class? Very many *drunkards*; from the working class *altogether.*" I

\* 2nd Report on Public-houses. August, 1854.—pp. 290-2. p. 215.

† It is quite startling to hear that Domestic-gin-drinking 'promotes moral improvement.' The Trafickers have a curious knack of converting *negatives* into *positives*,—but very different from the plan of a photographic artist; for they change a little *less evil* into a *great deal of good* (i.e. in words), which are things very *unlike*. On the other hand, the Trafickers object to *prohibition*, that it produces *home-drinking*—which they talk of as *bad*!

‡ Mr Stinton would not stint them from going to his!

|| All this is very amusing logic. As if *free-trade* could be *controlled*—or, as if spirits that were 'mischievous' on *Sunday* morning became innocent on *Sunday* evening. But the grossest stupidity and inversion of thought is in the application of the proverb. The real question is—*Can we have TOO LITTLE of a BAD thing?*

believe it to be general, that men who drink in this way themselves, wish to be saved from the temptation."

Mr G HADDOCK, Carpenter, Norwood; "The general feeling is with mechanics, that they wish the public-houses were closed altogether; it is an inducement to draw them from their families, and to spend their money."

Mr R. T. CHAMEN, a Publican, who shuts his house on the Sunday: "Having the public-houses open on Sunday is a temptation offered to people to drink? Too much so. Drunkenness would diminish, if that temptation were placed out of their way? Yes. Sunday is a time when they have money in their pockets. We know what the lower class is; they have not sufficient control to withstand their own passions, and thereby the money is spent which they might [else] reserve for their families." (656, 663.) "Have you heard people express such a wish (For Sunday closing)? Yes."

Mr J. C. FOWLER, Stipendiary Magistrate for the Counties of Glamorgan and Monmouth: "All the licensed houses should be closed at 3 o'clock on Sunday afternoon until Monday morning. Conversations held with a considerable number of working men, taken by chance, have convinced me that they themselves will rejoice at such a change. I believe they are generally alive to the evils of drinking, and seem to feel the need of some protection against their own habits and frailties."\*

The PETITION signed by 232 prisoners in the Preston Gaol (1854),† heartily prays: "That your Honorable House would be pleased to take such measures as will, on the one hand, lead to the suppression of the beerhouse curse, and on the other, promote whatever may extend the means of rational amusement and intellectual progress among the laboring classes of the kingdom."

Rev. JOHN CLAY, of the Preston House of Correction: "Over and over again my friends among the laboring classes have said, 'Mr Clay, the public-houses are cursing this place.' A great portion of the laboring classes would be very glad if there were circumstances quite external to themselves which should prevent them having access to liquor;‡ and that feeling is evinced almost every week, by some prisoner or other who comes under my observation for an offence arising from drunkenness, and who says, 'I wish beer was 10s. a quart.' When a laboring man sees a door fastened, he would be content to go away." "I am quite sure that almost all the laboring classes, when they are sober, and have the use of their reason, would wish the houses closed the whole of Sunday. The wives of these men would be more glad than any other portion of the community."‡ (6305.) Do you not think, if such a proposition was made, there would be active re-

\* Second Report on Public-houses, p. 288.

† 1st Report, pp. 373-4. ‡ Ibid, p. 367. p. 366.

sistance to it? I do not think there would." (6309.) "There are very great efforts made to spread religious teaching and education; but, on the other hand, *the facilities for keeping the laboring man down*, in the public-houses and the beerhousess, counteract all those advantages."

Mr J. HEYNES, superintendent of Southwark police :\* "The Publican always takes care to serve as long as he can do so without rendering himself liable to the Act of Parliament; *as soon as a party gets drunk and disorderly, he turns him into the street, for the police to deal with him.*"

Mr H. DANSON, Beer Agent, Liverpool: "If the trade were thrown open, we do not know what amount of Police we should require; in fact, *the borough fund would scarcely pay them.*"

Mr Alderman WIRE: "If you were to abolish it (the traffic), as they have done in Maine, you might have a sober population; but if you *restrict* it, I do not think you would." (10011.) "I think you may do a great deal to regulate, and ultimately to suppress, by law." (10012) "Must not some persons have a public-house next door to them? Yes: but the inhabitants of Belgrave Square would not like to have a licence granted for a house in *that* neighborhood: and if granted, it would be injurious to the morals of the neighborhood."

Mr ROBERTSON GLADSTONE, Magistrate, Liverpool: "We should not at this moment have been put to the necessity of erecting a new Gaol, if it were not for the existence of the licensed public-houses and beerhouses. I believe *they are the source of all the mischief.*"† (1194.)

Mr JOHN GRUNDY, J.P., Bury: "He had no hesitation in saying, that he regarded the beerhouses as *nests of vice and the pests of society.*"‡

Rev. WALTER IRVINE, Newcastle-on-Tyne :|| "It was to be regretted that, in a wealthy town like Newcastle, there should be a necessity for ragged schools. But as long as they had *the means of making rags* for children, there would be a necessity for ragged schools. He looked forward to the day when they would cease to have the name of 'Ragged School' inscribed on the walls of that institution. But, in the present state of things, it would be useless to expend the money devoted to this building upon clothes for the children; for those clothes would only be pledged to obtain those soul-destroying liquors which were a curse to society in this town, and wherever they were sold. He wanted to get away from the necessity of such institutions."

EDITOR of the *Record*, Church Newspaper: "The reports from

\* 1st Report, p. 312.

† 1st Report on Public houses.—p. 81.

‡ At the Brewsters' Sessions, September 7, 1855.

|| July 25, 1854, on the occasion of laying the foundation stone of the *Ragged Schools* there, by the Mayor.

our large towns and country villages are the same. The public-house, the beershop, and the gin-palace, are *the nurseries of three-fourths of our national immoralities*. *They are the hot-beds and green-houses where every kind of vice is gradually ripened and brought to perfection*, till it issues in delirium tremens, madness, suicide, and murder."

Even the Secular Press, to wit, *Punch*, the *Reasoner*, and the *Leader*, advocate Sunday Park-Bands as a means of drawing the people from the Public-house : though they strove to enlarge the time of keeping Public-houses open.

Archdeacon GARBITT : "Beerhouses without number, which the magistrate and the clergyman cannot control, vie with public-houses, numerous beyond all legitimate want, in entrapping the cottager into sensual excess. Capitalists speculate on his weakness and vices, and build up unblessed fortunes on his deliberate degradation. *A large experience tells me that where a neighborhood is visited by this scourge, no organization, no zeal, no piety, however devoted, no personal labors, however apostolic, will avail to effect any solid amelioration.* I have seen schools excellently managed, the most regular cottage visiting, the most heart-searching preaching, all, so far as the laborer and cottager are concerned, thrown away on this rock."\*

Rev. W. B. HELLINS, Chaplain of Devon Gaol : "They cannot be regarded otherwise than as *positive nurseries of vice and crime*."<sup>†</sup>

Rev. RICHARD BURNET, Chaplain of Sussex Gaol : "Am at a loss for words to express the amount of evil every day produced by the multiplication of these *dens of iniquity and curses of the poor*."<sup>‡</sup>

Rev. J. KINGSMILL, Chaplain of Pentonville Prison : "From experience, can express a very confident opinion, that beerhouses must be looked upon generally, as *so many nurseries of crime in the land*."

Rev. CANON STOWELL, M.A., Manchester : "That dark and damnable Traffic turned the day of God almost into a day of Satan, and made it questionable whether, for the mass of the people, it would not be better to have no Sunday at all."<sup>†</sup>

Mr EDWARD BAINES, editor of the *Leeds Mercury* : "The debauch of Saturday night is greatly chargeable with the desecration of the Sabbath. The *associations and tastes* formed in the Public-house or Beershop, are as opposed to religion as light is to darkness."<sup>||</sup>

Hon. and Rev. SIDNEY GODOLPHIN OSBORNE, rector of Durweston : "There are few respectable laboring men inclined to

\* *Record*, December 21, 1854.

† *Report on the Beer Act*, 1850.

‡ Speech on the Sunday Traffic. *Manchester Examiner*, July 20, 1854.

|| Tract—*Our Sunday Schools*.

deny that they cannot get 'their pipe and pint, and meet a friend or two for an hour,' *except at the cost of temptation to drink too much*, and with the certainty of being exposed to the seeing and hearing much they abominate."\* "What is called 'the Public-house'—i. e. the house licensed to sell spirits, *has all the attendant evils* to which such a place must be *inevitably liable*."

Mr J. A. ROEBUCK, M.P. : "You close the Picture Gallery and Museum on holidays and feast-days, but you leave wide open the Gin and the Beershop ; hating convivial meetings, you make the people unsocial drunkards. This ginshop that you love, because it increases your revenue, look at it, go into it, and behold its horrible appearance. A flaring gas-light is over the door, *which door never shuts*. Push it aside, go in, look around,—splendid windows, brass rods and ornaments, a fine and showy counter, immense tubs of spirits, and gay damsels ready to serve it. *But no chairs*. No one sits in a ginshop. The customer comes in, '*pays for his glass of poison*,' drinks it off at one gulp, and goes away to make room for a succeeding customer. Here you have the vice of drunkenness, with all its deformity, without one shadow of a redeeming circumstance. Sulky, sullen, and alone, the poor wretch drinks off his glass, feels and shares no sympathy, awakes no kindly feeling ; here is nought but selfish enjoyment ; or the sullen determination to drown in brutal intoxication the intolerable burthen of present wretchedness. Wise legislators ! You foster these *horrid dens of evil*, and yet dread and suppress gay and mirthful meetings of the people."\*

The AUTHOR of *Alton Locke* : "Go, scented Belgravians, and see what London is. Look ! there's not a soul down that yard, but's either beggar, drunkard, thief, or worse. Write anent that ! Say how ye saw the mouth o' Hell, and the twa pillars thereof at the entry—the Pawnbroker's shop o' one side, and the Gin-palace at the other—twā monstrous deevils, eating up men and women and bairns, body and soul. Look at the jaws o' the monsters, how they open and open and swallow in anither victim and anither. Write anent that !.....Are not they a mair damnable, man-devouring Idol than ony red-hot statue of Moloch, or wicker Magog, wherein the auld Britons burnt their prisoners ? Look at those bare-footed, bare-backed hizzies, with their arms round the men's neck, and their mouths full o' vitriol and beastly words ! Look at that Irishman pouring the gin down the babbie's throat ! Look at that rough of a boy gaun out o' the pawnshop, where he's been pledging the handkerchief he stole the morning, into the ginshop, to buy beer poisoned wi' grains of paradise and coccus indicus, and salt, and a' damnable, maddening, thirst-breeding, lust-breeding drugs ! Look at that

\* *The Beershop Evil*. 1853, p. iv.

† *Pamphlets for the People*, 1835, 'On the Amusements of the Aristocracy.'

girl that went in with a shawl on her back, and cam' out without ane !\* Drunkards frae the breast !—harlots frae the cradle !—damned before they're born !”—p. 81. 3rd Ed.

Mr J. BALFOUR, London : (in evidence before the Select Committee, 4737.) “I went down to the bottom of the New Cut and Charlotte-street. I went into every drinking-house, numbering about 16. I will just give the Committee a description of one. It was a house very gaudily fitted up, with the first floor taken out and thrown into the shop, with some showy representations round it. I think I counted 50 persons in all, drinking, and amongst the number were *women, with children in their arms*. Upon one butt there was an infant fast asleep, *and the father and mother drunk by the side*. Against the counter was a little child, about four years old, fast asleep. They were serving as fast as they could. I then visited all the rest of the Public-houses from the Blackfriars Road ; they were all full of people drinking.... This was up to twelve o'clock ; the publicans were driving the people out. When I came back to the Bower Theatre, at the Public-house adjoining it, there was one fight inside, and just after two fights outside ; and from all that I saw from half-past eleven until a quarter-past twelve, if the police had done their duty, according to the Act of Parliament, in taking up all disorderly persons, it would have required 30 times as many policemen at least, more than were on duty.”

Such are the outside fruits of the Traffic—such its tendencies, its seductions, and its temptations ;—we need not unfold the doors of the *Saturnalia*, before deducing the doctrine, that the Traffic is not simply a nuisance, but an immorality.

§ 65. There are, however, private reasons why those engaged in the most reputable branches of the Traffic (the Keepers of *bona fide* Inns or Hotels), should sacrifice with cheerfulness their present mode of obtaining a livelihood in part by the sale of strong drink. Brewers for domestic use, if the *manufacture* be allowed, may act as the head of Joint-Stock Companies, distributing the beverage, if people *will* have it, at the homes of the shareholders ; and as to those huge Monopolists, with their Beer and Public-house slaves (of which the Parliamentary Report speaks), their fortunes are already built up (out of blasphemy and beggary), and the partial loss of theiratty capital, so far from exciting sympathy, may be regarded as a sacrifice of a sweet savor upon the altar of Humanity. The genuine Inn-keeper—mine Host of the ‘ Hotel’—will still be wanted ; and it is a significant fact, that in the States where Temperance and the Maine Law prevail, the Publican is the ‘gentleman,’ honored no less than the Merchant, and frequently realizing a rapid fortune.

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\* A few weeks ago (see *Alliance* for September, 1855), a wretched girl sold to a Publican and his company at York, her gown, stays, petticoat, stockings, and finally, *chemise*, and was found by the police, turned out into the streets, *stark naked* !

Under this *regime*, the old state of things is reversed, and the Publican thrives *with* the Public, not upon them. The change of Trade, moreover, or rather the expulsion of 'the dangerous article,' delivers the Publican from a peril and a pollution, which can hardly fail to be as great a comfort to himself as it must be a blessing to his family. Mr Alderman WIRE, in his evidence (10084), replying to a remark of Sir GEORGE GOODMAN, that he was "surprised to see the immense number of deaths of publicans at a very early age," observes—"No doubt—they are generally those who are unaccustomed to the trade, and who get into it not having been brought up to it; *the business has an effect on them, and they die early.*"\* All objections from the Traffickers themselves, however, based on mere *interest*, should be put out of court. And, in the very worst of possibilities, the nation can pension them off. It would be far cheaper to keep for a while, the present race of publicans, than *whole generations of paupers and criminals whom they create*. What would be thought of the doctor who objected to sanitary reform and sewerage, because it lessened his receipts?—or of a policeman and gaoler, who repudiated education and moral training, on the ground that it diminished the number of disorderly persons requiring their polite attention?

§ 66. There can be no sounder maxim than this: "What is morally wrong cannot be financially right." This ought to settle the question of *revenue* at once: and, in fact, a mind anchored in virtue, will not entertain the objection we are called to meet. So argued the patriotic peers in 1743, when this topic was dis-

\* The Fourteenth Annual Report of the Registrar General of Births, Marriages, and Deaths, with the fifteenth report, contains tables showing the mortality of men above the age of 20, engaged in various occupations, in 1851:

Age.	All Classes.	Drink-sellers.
20	948	1,383
35	1,236	2,045
45	1,787	2,834
55	3,031	3,897
65	6,396	8,151
75	14,055	18,084
85	28,797	40,860
Average	2,009	3,084

In absolute numbers, the total of males of 20 years and upwards, in England and Wales, according to the census of 1851, was 4,720,904, and those who died in that year were 94,300. The number of such men who were engaged in the liquor traffic was 55,325, and those dying, 1,704. The per centages of the several ages show, that at every section of age the mortality of the latter exceeded by about *one-half* that of the whole number of men so classed, including their own class. They are, in fact, highest in the death-scale, the nearest to them being farmers and graziers (2.847), general laborers (2.163), and butchers (2.33); all other occupations are under 2 per cent. The liquor dealers are not only highest on the whole per centage, but at *every period of life*, except the last (85 and upwards), at which the general laborers exceed them by about 1 per cent (40.860 compared with 41.795). The most fatal periods of life for miners are from 55 to 75, the average being 3.450 and 3.061, but the liquor traffickers, at the same periods supply a per centage of 3.897 and 3.151.

cussed within the walls of Parliament. (§ 52.)\* So argued LYTTLETON, and BUXTON, and WILBERFORCE, and PLUNKET, and the best men of 1819, when CANNING resisted the motion for the abolition of Lotteries on the ground of *revenue* requirements; and so shall we argue still. In the Lottery debate, Mr WILBERFORCE observed, that his honorable friend had omitted to name one great *deduction* from the apparent gain of the revenue. "He might have specified, on the one hand, the energies of a people and the effects of moral habits, and, on the other, the horrors of profligacy and indolence; how much more the former tend to the wealth and aggrandizement of a nation, and how certainly the other effect its degradation. It was to be regretted, that, tracing the principles of National Wealth from its infancy to the present times, he had not shown the effects produced upon them by such habits." In our sections on the History of the Traffic, we have attempted something of the kind, though necessarily limited by the absence of statistics, and the complication of the problem; but we may here add a passing illustration or two, both of its positive and negative aspects.

§ 67. It was in 1783, that the patriotic King of Sweden, GUSTAVUS III., in order to increase the revenue, not merely permitted that distillation which has since so deeply injured a noble people, but encouraged the establishment of houses for its sale. His revenue certainly was augmented, but his *outgoings* likewise, for everywhere pauperism, disease, bastardy, and crime increased so fast, that he was compelled to annul his measures, and level penalties against the fruit of his own mistake. If the principle were right, the Russians are the people who should have progressed and prospered the most, for they have gone through with it. An old writer has described the state of things which obtained in the 16th century, and it is precisely that which obtains yet. "In every great town, the Emperor hath a *drinking-house*, which he lets out for rent. Here laborers and artisans, many times, spend all from their wives and children. Some drink away everything they wear about them, even to their very shirts inclusive, and then walk naked; all of which is done for the honor of the Emperor; nor, while they are thus drynking themselves naked, and starving their families, must any one call them away, *because he would hurte the Emperor's revenue.*"† COWPER hit off a similar school which prevailed in Britain,

\* "If government was instituted only to raise money, these schemes of policy would be without exception. But the end of government is only to promote [the free play of] virtue, of which happiness is the consequence; and, therefore, to support government by propagating vice, is to support it by means which destroy the end for which it was originally established, and for which its continuance is to be desired. If money, therefore, cannot be raised but by this bill; if the expenses of the government cannot be defrayed but by corrupting the morals of the people,—I shall, without scruple, declare that money ought not to be raised, nor the designs of the government supported."—Johnson's *Debates*, 1743.

† *Of the Russ Commonwealth.* By Dr Giles Fletcher. London, 1592.

within the memory of some living ; of which the pleaders for Drink-taxes may be regarded as lineal descendants.

Drink and be mad, then ; 'tis your country bids ;  
Gloriously drunk—obey the important call :  
Her cause demands the assistance of your throats ;  
Ye all can swallow, and she asks no more.

LOUIS XII. permitted spirits to be distilled on a large scale in France, but so sudden and great were the evil effects, that, only twenty-two years after, FRANCIS was obliged to promulgate a series of severe prohibitory enactments, to restore the country to its comparatively happy state.

§ 68. It is a self-evident fact, requiring no elaborate disquisition of the Political Economist to make plainer, that as drinking, on the one hand, is a rapid consumption of capital for transient gratification, inevitably followed by loss of time, labor, and strength, and by the cost of disease, pauperism, and crime (in short, by the loss of *Productive Power*) ; so the absence of drinking permits fuller and surer play to all the elements of National Progress, *minimizing waste and maximizing wealth*. But it happens that we have, in the History of the last century, two or three remarkable illustrations of the fact, and of the bearings of real, though partial *prohibition*, on the material interests of the people and the financial resources of the country.

First, however, let us see what contemporary observers declared to follow the drinking consequent on the cheapness of Gin and other strong liquors. The *Gentleman's Magazine* for 1732 (vol. ii. p. 603), states that in consequence of their addiction to spirits, the industry and economy of the Poor had been materially repressed. “Throughout the Bills of Mortality, the poor housekeepers have not one quarter of the household goods they used to have, and small farmers in the neighborhood of London, can scarce show a clean suit of clothes to go to church” in. Now, in contrast with this fact, showing how drinking swallows the fund out of which Produce and Revenue must ultimately come, and the development of which in Reproductive Labor and Rational Expenditure constitutes true Commerce and Industry,—we will examine another page or two of British history.

§ 69. The year 1757 was a year of scarcity ; if not of famine. RUTTY says\*—“The great scarcity of corn in Ireland and England, in 1757, was not owing *entirely* to a failure of the crop, but more to a consumption of grain in the distilleries.” However, the Distilleries were stopped in March, 1757 : with what results SMOLLETT shall tell.†

“The bills relating solely to the supply being discussed and explained, the house proceeded, as usual, to enact other laws for the advantage of the

\* *Natural History of the County of Dublin*, vol. ii. p. 411. 1772.

+ *History of England*, Oct. Ed. vol. xv.

**community.** Petitions having been presented by the cities of Bristol and New Sarum, alleging that since the laws prohibiting the making of low wines and spirits from grain, meal, and flour had been in force, *the commonalty appeared more sober, healthy, and industrious*; representing the ill consequences which they apprehended would attend the repeal of these laws, and, therefore, praying their continuance: a committee of the whole house resolved that the prohibition to make wines or spirits from any sort of grain, meal, or flour, should be continued to the 24th day of December, in the year 1759. Before the bill was formed, petitions arrived from Liverpool and Bath, to the same purport as those from Bristol and Sarum; while, on the other hand, a remonstrance was presented by a great number of the malt-distillers of the city and suburbs of London, alleging that, it having been deemed expedient to prohibit the distilling of spirits from any sort of grain to the 21st day of December, then instant, some of the petitioners had entirely ceased to carry on the business of distilling; whilst others, merely with a view to preserve their customers—the compound distillers—and employ some of their servants, horses, and utensils, had submitted to carry on the distillation of spirits from molasses and sugars under great disadvantages, in full hope that the restraint would cease at the expiration of the limited time, or, at least, when the necessity which occasioned that restraint should be removed. That it was with great concern they observed a bill would be brought in for protracting the said prohibition, at a time when the price of all manner of grain, and particularly of wheat and barley, was considerably reduced, and, as they humbly conceived, at a reasonable medium. They expatiated on the great loss they, as well as many traders and artificers, dependants upon them, must sustain in case the said bill should be passed into a law. They prayed the house to take these circumstances into consideration, and either permit them to carry on the distillation from wheat, malt, and other grain, under such restrictions as should be judged necessary, or to grant them such other relief, in respect of their several losses and incumbrances, as to the house should seem reasonable and expedient. This petition, though strenuously urged by a powerful and clamorous body without doors, did not meet great encouragement within. It was ordered to lie on the table, and an instruction was given to the committee, empowering them to receive a clause or clauses to allow the transportation of certain quantities of meal, flour, bread, and biscuit, to the islands of Guernsey and Jersey, for the sole use of the inhabitants; and another to prohibit 'the making of low wines and spirits from bran.' Much more attention was paid to a petition of several farmers in the county of Norfolk, representing that their farms consisted chiefly of arable land, which produced much greater quantities of corn than could be consumed within that county; that in the last harvest there was a great and plentiful crop of all sorts of grain, the greatest part of which had by unfavorable weather been rendered unfit for sale in London, or other markets for home consumption; that large quantities of malt were then lying at London, arising chiefly from the crops of barley growing in the year 1757, the sale of which was stagnated; that the petitioners being informed the house had ordered in a bill to continue the prohibition of corn exported, they begged leave to observe that, should it pass into a law, it would be extremely prejudicial to all, and ruin many farmers of that county, as they had offered their corn for sale at divers ports and markets of the said county: but the merchants refused to buy it at any price, alleging its being unfit for the London market. The great quantity of corn with which that market was already overstocked, and their not being allowed either to export it or make it into malt for exportation, they therefore prayed this prohibition might be removed, or they, the petitioners, indulged with some other kind of relief. Although this remonstrance was duly considered, the bill passed with the amendments, because of the proviso, by which His Majesty

in council was empowered to shorten the date of the prohibition with respect to the exportation of corn during the recess of Parliament; but the temporary restraint laid upon distillation was made absolute, without any such condition, to the no small disappointment and mortification of the distillers, who had spared no pains and expense, by private solicitation and strenuous dispute in the public papers, to recommend their cause to the favor of the community. They urged that malt spirits, when used in moderation, far from being prejudicial to the health of individuals, were in many damp and marshy parts of the kingdom absolutely necessary for preserving field laborers from agues and other distempers produced by the cold and moisture of climate; that if they were debarred the use of malt spirits, they would have recourse to French brandy, with which, as they generally reside near the sea coast, the smugglers would provide them almost as cheap as the malt spirits could be afforded. Thus, the increased consumption of French spirit would drain the nation of money to a considerable amount, and prejudice the king's revenue in the same proportion. They observed, that many distillers had already quitted that branch of trade, and disposed of their materials; that all of them would probably take the same resolutions, should the bill pass into a law, as no man could foresee when the prohibition would cease, should it be continued at a time when all sorts of grain abounded in such plenty; *that the very waste of materials by disuse, over and above the laying out of the money, would be of great prejudice to the proprietor.* Thus, the business of distilling, by which so many families were supported, would be banished from the kingdom entirely; especially, as the expense of establishing a large distillery was so great, that no man would choose to employ his money for this purpose, judging, from experience, that some further accidental scarcity of corn might induce the legislature to interpose a ruinous delay in this branch of business. They affirmed, that from the excessive use of malt spirits no good argument could be drawn against this branch of traffic, no more than against any other convenience of life; *that the excessive use of common beer and ale was prejudicial to the health and morals of the people,* yet no person ever thought of putting an end to the practice of brewing, in order to prevent the abuse of brewed liquors\*. They urged, that in all parts of Great Britain there are some parcels of land that produce nothing to advantage but a coarse kind of barley, called 'big,' which, though neither fit for brewing nor for baking, may nevertheless be used in the distillery, and is accordingly purchased by those concerned in this branch, at such an encouraging price as enables many farmers to pay a higher rent to their landlords than they could otherwise afford; that there are, every year, some parcels of all sorts of grain, so damaged by unseasonable weather or other accidents, as to be rendered altogether unfit for bread or brewery, and would prove a very great misfortune to the farmer, if there was no distillery for the use of which he could sell his damaged commodity. They asserted that malt spirits were absolutely necessary for prosecuting some branches of foreign commerce, particularly the trade to the coast of Africa, for which traffic no assortment could be made up without a large quantity of geneva, of which the natives are so fond, that they will not traffic with any merchant who has not a considerable quantity, not only for sale, but also for presents to their chiefs and rulers; that the merchants of Great Britain must either have this commodity of their own produce, or import it at a great national expence from Holland; that the charge of this importation, together with the duties payable upon it, some part of which is not to be drawn back on exportation, will render it impossible for the traders to sell it so cheap on

\* Now-a-days the tables are turned. Mr OLIVEIRA, the wine merchant and M.P., now unites with the political *Morning Post* and the literary *Champagners*, in denouncing malt-spirits and 'heavy wet,' and in eulogizing 'light-wines.'

the coast of Africa as it might be sold by the Dutch, who are the great rivals of Great Britain in this branch of commerce. To these arguments, it was replied, *that malt spirits might be considered as a fatal and bewitching Poison, which had actually debauched the minds and enervated the bodies of the common people, to a very deplorable degree*; that, without entering further into a comparison between the use and abuse of the two liquors, beer and geneva, it would be sufficient to observe, that the use of beer and ale had produced none of those dreadful effects which were the consequences of drinking geneva; and *since the prohibition of the distillery of malt spirits had taken place, the common people were become apparently more sober, decent, healthy, and industrious*; a circumstance sufficient to induce the legislature not only to intermit, but even totally to abolish, the practice of distillation, which has ever been productive of such intoxication, riot, disorder, and distemper, among the lower classes of the people, as might be deemed the greatest evils incident to a well-regulated commonwealth. Their assertion with respect to the coarse kind of barley, called 'big,' was contradicted as a deviation from truth, inasmuch as it was used in making malt, as well as in making bread; and with respect to damaged corn, those who understood the nature of grain, affirmed that it was spoiled to such a degree as to be altogether unfit for either of these purposes. The distillers would not purchase it at such a price as would indemnify the farmer for the charge of thrashing and carriage. For the distillers are very sensible that their great profit is derived from their distilling the malt made from the best barley; so that the increase of the produce far exceeded in proportion the advance of the price. It was not, however, an easy matter to prove that the distillation of malt spirits was not necessary to an advantageous prosecution of the commerce on the coast of Guinea, as well as among the Indians in some parts of North America. Certain, it is, that in these branches of traffic, the want of geneva may be supplied by spirits distilled from sugars and molasses. After all, it must be owned that the good and salutary effects of the prohibition were visible in every part of the kingdom, and no evil consequence ensued, except a diminution of the revenue in this article; *a consideration which at all times ought to be sacrificed to the health and morals of the people.*"

§ 70. On other occasions\* on which, in consequence of famine, the distilleries were stopped, we have no contemporary evidence; but in reference to the prohibition of distillation in 1796, we have the testimony of Mr COLQUHOUN, given in his *Treatise on the Police of London* (6th Ed. 1800), page 328:—

"It is a curious and important fact, that during the period when the distilleries were stopped, in 1796-97, though bread and every necessary of life were considerably higher than during the preceding year, the poor were apparently more comfortable, paid their rents more regularly, and were better fed than at any period for some years before, even though they had not the benefit of the extensive charities which were distributed in 1795. This can only be accounted for by their being denied the indulgence of gin, which had become in a great measure inaccessible from its very high price. It may be fairly concluded that the money formerly spent in this imprudent manner, had been applied in the purchase of provisions and other necessaries, to the amount of some £100,000. The effect of their being deprived of this baneful liquor, was also evident in their more orderly conduct; *quarrels and assaults were less frequent, and they resorted seldom to the pawnbroker's*

\* 5th Geo. III. cap. 3. From 1st January, 1796, to 1st October, 1796. (Total failure of harvest.) 41st Geo. III. cap. 16. From 25th March, 1801, to 25th March, 1802.

shop; and yet, during the chief part of this period, bread was 15d. the quartern loaf; meat higher than the preceding year, particularly pork, which arose in part from the stoppage of the distilleries, but chiefly from the scarcity of grain."

§ 71. On reference to the Tables of Imports into Ireland, and a comparison of the years of the stoppage of the Distilleries, and the consequent comparative sobriety of the nation, with the years when they were in full activity, destroying food and demoralizing the people, we arrive at the startling anomaly, that a year of Scarcity, *with prohibition*, is better than a year of Plenty *without it*! The years 1809-10 and 1813-14, were seasons of scarcity, and the Distilleries were stopped. The average consumption of Spirits in the years 1811-12, and 1815-17, was 7½ millions of gallons: on the other years, not quite 4½. But mark how the saved 3½ millions re-appears in the form of an increase of the following articles of comfort, which bespeak not simply the absence of a great curse, but the presence of domestic and personal happiness, and of a thriving trade.

TABLE OF IMPORTS.

Extracted and averaged from returns made to Parliament, 1822. See the 4th and 5th Reports of Commissioners of Inquiry.

FAMINE YEARS, 1809-10-13-14.		YEARS OF PLENTY, 1811-12-15-17.		
Haberdashery.....	£140,936	Value .....	£110,936	£30,000 decrease.
Drapery (new and old).....	3,778,514	Yards.....	2,422,444	1,356,070 "
Iron Hardware, and Pots.....	£467,100	Value .....	£337,458	£129,651 "
Blankets.....	60,004	Number .....	26,603	33,401 "
Cotton Goods.....	£197,198	Value .....	£104,193	£93,000 "
Black Tea.....	lbs 3,530,643	Pounds .....	3,189,132	341,511 "
Muscavado Sugar.....	381,278	Cuets.....	306,054	74,324 "

In addition, therefore, to the saving of disorder, crime, disease, and pauperism, and all their cost, it is clear that even the Excise was greatly benefited by the increased consumption of other excisable articles. What is true of Ireland in particular must be true of the Empire at large. This may be illustrated from the fact, that while the actual decrease in the consumption of spirits, wine, and beer, in the year 1850 as compared with the year 1836, was 524,932 gallons, the *increase* in the consumption of Coffee, Tea, and Cocoa in 1850, over 1836, was 26,735,914 lbs. Hence what is lost to the excise in one way, is made up in another. This is confirmed by the fact, that in the year of Father MATHEW's greatest Temperance triumphs in Ireland, while the revenue from whisky was vastly reduced, the *total* revenue had increased £80,000 above its average, besides saving much cost in collection.

§ 72. The objections to a Maine Law, founded on an affected alarm as to what will become of the revenue?—on which one stumbles occasionally in the political press, are sheer cant.

Every man knows for himself, that his real concern is how to pay *as little* of income or any other tax as possible : in short, to minimize taxation, by compelling the government to practice economy in the *expenditure* and the *levying* of Taxes. What patriotic Editor feasts on the visit of the Tax-gatherer, and kills the fatted-calf to express his delight ? No ! if a man drinks, he does so to please himself, and not, out of patriotic furor, to patronize Whitehall. No one, surely and seriously, like the Warmen of Cowper's day, holds to the duty of drinking, that we may lend 'the assistance of our throats' at home, to put down cut-throats abroad ! There is no truth in this objection as an individual motive, and there is quite as little in that political onesidedness which ignores the moral aspects of taxation, and regards men *merely* as tax-paying instruments. Honesty is the best policy for the State as well as the Man ; and in the end, Virtue is cheapest, and Vice dearest, for both. Let us, however, notice the practical difficulties alledged, as we find them put forth in a Newspaper before us.

"*The Alliance is utterly reckless of the revenue, and the necessities of the State; looking only at compulsory abstinence.*" No such thing. The Alliance is not a temperance, but a *political* association ; it does not dictate abstinence ; it does not interfere, or seek to interfere, with either private use or abuse ; it would not punish drunkenness even, *as such*, any more than passion ; but it simply seeks to deal *effectually*, as the law now does ineffectually, with the *Public Sale* of that which is a public snare, generating three-fourths of our crime, and creating the necessity for half our taxation. It is, therefore, *regardful*, not reckless, of the revenue, for it desires to save one-half of our local and county, and one-third of our general taxation.

"*The loss of 8 or 10 millions of revenue would utterly confound the Chancellor of the Exchequer, and involve the country in financial difficulties.*" But this assumes that the declension would come suddenly—that the loss would happen in a lump. Practically, this will not be the case. Before the Maine Law is obtained, two other measures will pass, as the precursors of that full and only efficient measure—we mean, the *suppression* of the Beer-Shops, and the *prohibition* of the Traffic on the first day of the week.

"*Our circumstances are so essentially different from those of the U. S. of America, that their example cannot be appealed to on a point of revenue and taxation.*" No one does appeal to them on such a point. We appeal to the example of Maine and Massachusetts, not to show that there is any perfect parallel as to taxation and its purposes—for there taxes are raised to meet a current expence ; here, in great part, to pay the interest of an old debt,—but we appeal to them for the purpose of illustrating the general, social, and moral advantages of the Maine Law. The facts educed, however, have a direct and significant bearing

on the question, for they show that three-fourths of the pauper-and-crime-taxes are *not wanted* where prohibition rules. No doubt, England, in respect to taxes, may have a peculiar difficulty—because the State-wagon has got fast in the ruts of routine. This objection would apply to *any* scheme of progress—but shall a past evil become a perpetual obstacle to future good?

“*It is not credible that people will put up with fresh taxation to so large an amount as that now imposed on the luxury of gin and beer.*” *Changed* taxation is not *additional* taxation; on the contrary, taxation *so changed* is taxation lessened by all the cost of crime and pauperism saved to the people by prohibiting its chief fountain and feeder. If the Maine Law is adopted here, it will be done by the people themselves,—we do not mean a Hyde Park Mob, the concentrated moral Sewerage of London,—and they will no doubt ‘put up’ with the changed mode of paying diminished taxes. The people—that is, any such part of them as is wise enough to support a Maine Law—will not quarrel with a proceeding that simply says, ‘You will pay the Taxman 5s. *directly*, instead of paying him 7s. 6d. *indirectly*, through the medium of the publican.’ The people don’t care *on what*, or in what way, they pay their taxes; it is the amount they look at, and even that is cheerfully paid when necessary, and *fairly levied* or distributed. (At present, several millions of temperate people are subjected to the *injustice* of paying for the consequences of a system which they abhor and repudiate.) In point of fact, however, no more beneficial change could possibly be introduced into our fiscal arrangements, than the substitution of *direct taxes* for the system that now prevails, a system that is deceitful in regard to the payer, wasteful in the collection, and tending to profligacy in the expenditure. This, GLADSTONE and DISRAELI equally admit. The people do not object, then, to fresh taxation—fresh as to its mode,—any more than to a fresh suit of clothes—but to *further taxation*.

“*The revenue which has had cut off eight millions derived from a tax on luxuries, must be replaced, of necessity, by a charge upon articles of indispensable consumption.*”\* We do not see the ‘necessity.’ As MR WILBERFORCE said of the plea for the Lottery-taxes—there are the *deductions*. Let these be made, and ere long the balance will be struck, as we have seen. A prohibitory law—armed with its proper penalties and powers—would save £1,000,000 in the general cost of crime; would enable the government to lessen the standing Army, get rid of its increasing difficulties in respect to prisons, hulks, and penal settlements; divert at least £4,000,000 of the taxation now levied on liquors and licensed houses, to articles

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\* What then? If the sober *must* pay, far better that we paid it, a week extra to our Baker, than 2s. 6d. to the Overseer and the Jailer, for looking after the *patrons* of taxed luxuries that eat up untaxed necessities, and leave their families beggared and bare.

already taxed, but articles of an innocent or useful description ; and by the saving of the lives of 30,000 Taxpayers, now annually cut off prematurely, through the workings of the Traffic, since dead-men pay no taxes, add immensely to the permanent resources of the Exchequer.

Here at once the taxation account would be balanced ; yet here the blessing of the measure would only just begin to the higher interests of the nation ! Commerce and Trade would flourish in a manner wholly unprecedented. A vast amount of *destructive* labor would be turned into a *productive* channel ; on the one hand, increasing and therefore cheapening food, and, on the other, multiplying all the arts and perfecting the products which minister to the comforts, elegancies, and culture of society. A vast amount of labor now lost, in drinking at the public-house, and in subsequent indolence or disease, would be saved. A vast amount of property, spoilt or destroyed under the existing system, would be preserved. Commodities of all kinds would be prodigiously augmented, becoming at once cheaper and better ; and Government would save millions of expenditure *in this way*, as surely as the community at large. Add to this, the eventual saving of at least £5,000,000 of our pauper tax, of £1,000,000 of our county and local rates, of £1,000,000 through the lessening of disease and accident, of £1,000,000 worth of property saved from plunder by the diminution of crimes ;\* of £1,000,000 dispensed in private charity to alleviate evils which drunkenness and debauchery create, and the dullest patriot will *begin to see* how a Maine Law is the only measure that can effectually relieve us of an oppressive and increasing Taxation, make the office of the Chancellor of the Exchequer by and bye a very easy one, and even open the way for the liquidation of the National Debt. A Prohibitory Liquor Law will yet prove itself to be, not only a blessing in the future, but a remedy for the burdens of the past.

Mr PLUNKET (the late Lord Plunket) put the proper issue in the Lottery debate of 1819. "The question was, whether the House could be induced to foster the propagation of misery and crime, for the sake of an apparent benefit to the revenue ? They had been told of the long continuance of this system, but its age made no impressions on his mind in its favor ; if it were as old as the foundations of the world, this was no reason for protracting its existence. It was not denied that it produced crime, and that by such production it contributed to the revenue. It must be foreign to his (Mr Canning's) sentiments to overlook the eternal distinction between right and wrong ; *but the truth was, that the whole of this argument resolved itself into a question of moral feeling.*"†

\* See Note, § 104, as to the *Revenue* of many criminals. The *public cost* of crime is probably not more than half of the total cost *to the public*.

† Dolby's Parliamentary Register, 1819.

Long ago it was observed by Sir FREDERIC EDEN, in his valuable *History of the Poor*, that "For government to offer encouragement to alehouses, is to act the part of a *felo de se*. Nor ought the public ever to be lulled into an acquiescence by the flattering bait of immediate gain, which ere long they would be obliged to *pay back to paupers, in relief, with a heavy interest.*"

"If," says Canon STOWELL, in a Lecture at the Mechanics' Institution, Manchester, "If the government can control drunkenness, it ought to do so. If it does not, it is afraid of its revenue. I say, let them abandon such sources of revenue. What may be lost will come back tenfold in consequence of the promotion of honest industry, because working people will buy sugar and tea, and nice decent clothes for Sunday, and comfortable furniture for their dwellings. There will be an impulse given to the business of cabinet-makers, manufacturers, shopkeepers, grocers, and provision dealers; and you will not have to prey upon the vitals of the country to supply the Exchequer."

§ 73. "We trust," says the Hon. and Rev. S. G. OSBORNE,\* "yet to see the day when those who rule us will arrive at the conclusion, that *what is gained to the excise by the licence given to Intemperance, is more than lost by the expence to the 'Home Department,' of gaols and transports*; that it is a folly to expect that Education can progress, if her course be clogged by schools which attract, by their pandering to the very appetites she would seek to control. Untaught human nature is, after all, only unbridled animal appetite. It seeks the food it loves, and loves the food which degrades. *The drink which excites, and the obscenity, the result of the excitement, become a second and aggravated evil nature.* This nature will still crave for more and more of its debasing food. Industry and drunkenness are incompatible. The earnings to pay for the drunkard's delights must be the wages of dishonesty. Small thefts, little poachings, will pay for the initiation of the 'jerry man'; greater thefts, a larger scale of poaching, have soon to provide for his increased expenditure on his increasing sin. Thus, from step to step, he is carried on to his end—'delirium tremens' in the workhouse—death, perhaps, on the gallows—or life prolonged in misery at the convict settlement."

After this extended survey of the question as a whole,—in view of its past history and its present fruits,—we submit that neither considerations of private interest nor those of public revenue, neither inflexible morality nor sound policy, can justify even the *permission* amongst us of a system so utterly vile in its character, and so uniformly disastrous in its consequences, as the Traffic in Intoxicating Liquors.

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\* *The Beer-shop Evil.* Vide 'Meliora,' edited by Viscount Ingestre.

## CHAPTER V.

"THAT THE LEGISLATIVE PROHIBITION OF THE LIQUOR TRAFFIC IS PERFECTLY COMPATIBLE WITH RATIONAL LIBERTY, AND WITH ALL THE CLAIMS OF JUSTICE AND LEGITIMATE COMMERCE."

§ 74. Three points solicit our attention here—*Liberty, Justice, Trade.* Is the Maine Law an infraction of any of these? The answer will depend very much on our definitions. Now, peoples' definitions are often the loosest things about them; and very fine writers, especially if they be venal, are not a whit more rigid or accurate than the herd of vulgar men. Even the *Times* can twaddle as unmeaningly as the most empty-headed of country justices. "*It is the inalienable BIRTH-RIGHT of every Briton to make a fool or a beast of himself as much as he pleases,*" says this diurnal oracle of the changing Time.\* A few days thereafter we find the *Times'* doctrine reproduced by an M.P. and J.P., and delivered by him at a Licensed Victuallers' Dinner, *ex cathedra*, as president.

"He thought that every man had a *right* to go to any house of 'recreation,' and enjoy himself among his friends, in a 'reasonable' and 'moderate' manner. He was quite sure that if they merely regarded their own interests, the licensed victuallers would never encourage *drunken* customers. (Cheers.) He was quite sure that drunken customers never did any man any good; and *therefore*, while their houses were open for the reception of friends to meet together and enjoy '*their convivial glass*,' they would do well to close them when they found conviviality was *being carried to excess*. (Hear.) While England existed, he hoped that *every man* would be *allowed to ENJOY HIMSELF IN HIS OWN WAY*, in reason. He would say to them, *Manage your houses with prudence and decorum; let your friends have what they like*, and when you see that *they* are inclined to get *too much*, *put your finger on the stopper*, and say, '*My friend, now you have had enough; come to-morrow if you like, and enjoy yourself.*' (Cheers) Carry out that principle, and you may *ENCOURAGE GOOD FELLOWSHIP, cordiality, and good feeling between man and man; you may make a profitable employment for yourselves, and benefit to a very great extent the people among whom you live.*'†

So the *Times*, too, sets limitations to its notion of the 'birthright of Britons,' for it has this reservation—"So long as it does not directly interfere with the safety, comfort, and morals of others."

\* Leader on the ALLIANCE REPORT. *Times*, Dec. 28, 1853.

† *Bradford Observer*, Jan. 19, 1854.

§ 75. Here is confusion worse confounded, and did we not know that the oracle was deaf, we might propound a few questions with the view of getting at its meaning—if it had any. How, for instance, can a man have either an acquired right, or a birthright, to make a *beast* of himself? The law prohibits both the beastliness of drunkenness, and all other beastly actions. Does the *Times* advocate the abolition of the law? Again, it sadly puzzles us to understand how any one has the *right* to practice *wrong*? We fondly fancied that the doctrine of ‘a Divine right to govern wrong,’ had long since been placed in the limbo of oblivion: and we see no more truth in its application to common-men than to crowned monarchs. But then, mark the absurdity of the saving clause! How can a *BORN-RIGHT* interfere with the safety and morals of others? *So long*, says the *Times*: but what does it mean? How can my *right* to see, or hear, or walk, or think, or feel, at all interfere with the same rights in others, either sooner or later, either so long or so little? Yet such is the jargon which Publicists palm upon the public hebetude and credulity,—words, mere empty words! In the same way, we hear a good deal of ‘the Rights of Publicans’ being invaded by a *Maine Law*! But are *birth-rights annually renewable*? Am I to ask a magistrate to *license* me a *right*? The fact is, Publicans have no rights, *as publicans*. ‘Rights’ appertain to the *nature* of man, and are *inalienable* for that very reason. Where *he* is, there are *they* also; and can no more interfere with the rights of others, than his *existence* can. And the *exercise* of the right is as sacred and perpetual as the right itself; and for a very simple reason (to parody the Oriental doxology) “Right is right—and wrong is wrong.” But we have demonstrated, what indeed every day repeats, that the Traffic is wrong; and therefore no man has a *right* to carry it on: for no man has a right to do evil, not even that ‘good’ may come—much less a right to do evil for ‘the mere convenience’ of pleasure-seeking men. The difference between the *Times* and the *Alliance* is fundamental. We base our political principles on the moral nature of man, in Truth and Conscience; and their relation to the absolute Sovereignty of the Divine Law. “What is *morally wrong* cannot be *politically right*”—nor even expedient. Men may dignify their narrow inductions, or half-views, with the names of Principles, Rights, and so forth—but their *virtue* and *validity* must still be tested by their *fruits*, by their *fitness*, or by their *power* for good. “In every place and in every age,” says ARMAND CARREL, “it is the *popular necessities* which have created ‘the conventions called principles, and principles have ever ‘been mute before necessities.’”\* Of course, for the principle was false, or effete; it did not fit the *HIGHER NECESSITY*, the Law and Obligation of To-day—the law of progressive Humanity. Did the

\* *History of the Counter Revolution*, p. 42.

*Times* mean 'liberty,' not right ? In that view, it is still wrong : for nobody has a birth-liberty, either to debase himself into a beast, or to deal out a drink which debases others. The publican, it is true, has the *privilege*, and the licensed liberty, of contributing to degrade his country,—and "pity 'tis, 'tis true." We shall seek to create a moral and national NECESSITY for the abrogation of that unhappy licence ; so that the Law which gave in ignorance, may take away in knowlege and wisdom, the pernicious privilege which embruteth the nation.

§ 76. The *Times* talks of the right of Society to deal with that which "directly interferes with comfort and morals." Herein the *Times* goes far beyond the Alliance. We do not seek to legislate in that style. We only seek to be permitted to enjoy our own rights, including the right of protection from wrong. Many things disturb our comfort—many 'vices' antagonize morals ; yet we do not demand laws for their suppression.\* If the *Times*' contributors were every night to drink themselves drunk, in their own snug libraries, and we were to know it, we might regret the painful fact, but we should not therefore call in the aid of the Policeman. We do not even *aim* at making the world either 'sober' or 'moral' by Act of Parliament ; we demand Protection for ourselves, and play for the faculties of Society, that *those who will* work out the high purposes of life, may not be hindered and burdened by those who *will not*. It is not the mere 'vice' we aim at ; it is the terrible swarm of evils and hindrances within its womb : it is not the 'immorality,' but that which is behind it. The Traffic is the *Mater Maledictum* ; and we destroy the mother to strangle the children. The *brood* is confessedly bad.† Can it be shown that the Dam herself has a right to live ? However, the policy of the *Times* is different. Like Jason, it would *sow* the Dragon's teeth that have sprung up into armed and iron crimes for centuries ; but, unlike Jason, it would not give them the *coup de main* !

§ 77. And now for the Magisterial disciple. Is he prepared to cash his own words—to abide by his own Bill of Rights ? Has every man a *right* to go into *any* house of recreation and do

\* The man who cannot distinguish between *vice* and *crime* is incompetent to discuss social problems. Most crimes are vices, but all vices are not crimes : Crime is limited to *social sins*—i. e. offences against the requirements of social life.

† The *Times* of July 30, 1855, says:—"We do not attempt to question the countless evils of Intemperance, or the advantage of endeavoring to suppress so productive a source of crime." But what is 'the productive source of Intemperance' ? Instead of getting rid of the source—it recommends *counteraction*. "And why," asks Canon STOWELL, "should there be counteraction ? Why give public-houses to draw men into them ? Why not give just a sufficiency for the common transaction of business and necessary entertainment of travellers ? And, for my part, I believe they would do just as well with good tea, coffee, and ginger-beer, and would not be losers if they had not spirituous liquors at all. But whether we are prepared to do what other countries have done, or not, we ought to be prepared to move in the right direction, and there ought to issue forth a cry from the whole country for the suppression of beer-houses during the next session of parliament."

as he pleases ? Have we a *right* to go into a London Hell, and amuse ourselves with hazard, or *rouge et noir* ? Have we a *right* to go into 'the village curse' to-morrow forenoon (being Sunday), and enjoy ourselves over a glass of gin or pale ale ? This, to be sure, is *not* our way of enjoying ourselves—but if it were, would the law which the 'honorable' and 'worshipful' gentleman is sworn to execute (but which at the Publicans' dinner he certainly *mis-represents*),—would that law, we ask, whereof he talks so wordily, *sustain us in so doing* ? His own advice, again, is just as much a limitation and contradiction of his doctrine of 'rights,' as the law itself. First, "every man is to be allowed to enjoy himself in his *own way* ;" but second, he is by-and-bye to have a stop put to his own way by the Publican, who then assumes to be *judge* of the wants of his customers, and ends with dictating *when* they shall be gratified again ! Now, it seems clear, that if the Public Servant has a right to dictate to the Public Customers "when they have had enough,"—the *Public itself* has a still more imperious right of dictation, both over the servant that it authorizes to sell, and the Members of its own body that it permits to purchase—under conditions. The *right* of interference is part and parcel of the Licence Law already extant—the degree of interference is a question of utility and of efficiency which may be soon settled.

§ 78. The law, then, *has* interfered with the Traffic ; and, in a variety of ways, sets bounds to its activity, *because* it is evil. Like a dangerous ox, it must not be trusted at large, and nowhere without its legal-muzzle and its sworn-keepers. In all these respects it shows itself to be a trade without a parallel. Has the object of interference, then, been accomplished ? Have the bitter waters been made sweet ? Has it ceased to people the poor-house with paupers, to fill our streets with disorder, and disgrace our towns with riot ? Has it lost its power of polluting women and depraving men ; of feeding the hospital and crowding the gaol ? *In what material respect has the Licence System answered its avowed purposes* ? If it *has* done so, why these Parliamentary Committees and Reports, session after session, and year after year ? If it has *not* answered its end, why object to the introduction of another legal system that *will* ?

§ 79. The *Times* tells us to rely on "many agencies in operation which were denied to former ages. We have more schools, "more churches, more education, and a greater diffusion of "religious feeling. Cannot we avail ourselves of these means of "moral suasion." Now, we cannot, for the life of us, understand why the *Times* doesn't teach the government, for the same reason, to annul *all* law, and disband *all* police, and avail itself of moral suasion !—if it credits its own leaders. We are accustomed to believe that we require both law and logic ; both the policeman and the preceptor ; and that we have little enough when done. Is it not so ? Yet why should we leave "the countless evils of

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intemperance, and so productive a source of crime," to the *hope* of being diminished 50 or 100 years hence, if we can *extinguish* them to-day by "the absolutism of a Maine Law"? Is it not in *that* way that we actually do try to get rid of crime? Did the *Times* not advocate the shutting up of Betting-houses? The question, however, is one of right, and not of time, or of education. Education, and the other agencies, have their own positive work to do, and should not be expended in mere negative, and as facts prove, inadequate counteraction. Our question, therefore, returns—Is the Licence system effectual? and if not, shall we not try a system that is?—Moreover, the Panaceas of the *Times* have all been tried long ago, and all have failed. In Sweden, in America, in Germany, we have had more education, more recreation, more religious training, than we are likely to have (without a Maine Law) for the next century in Britain; and yet crime springing from drinking, and disease, and pauperism, all came up in due course; nay, grew intolerable. And why? The *Times* sees only half the truth, when it talks of education and religion counteracting intemperance—it fails to see the reverse of the medal—*That intemperance counteracts education and religion, and has the best of the battle.* Well says Canon STOWELL:—"It is not enough to say 'Educate, Christianize, Moralise the people, and 'then they will not drink. Give them Sunday recreation, and a 'variety of sources of pleasure; give them Parks, Mechanics' 'Institutions, Lyceums, and Athenaeums; these are the counter- 'actions to drunkenness.' I ask, have they *proved* so? Have they much abated drunkenness? Have we reason to expect that they *will*? Where we have *one* mechanics' institution, church, or chapel, we have some *thirty* beerhouses, alehouses, or dram-shops. And, after all, knowing what man is—knowing the corruption of our nature—knowing how difficult it is to withstand temptation,—*what right have we to expect that moral machinery will counteract all these fatal incentives to intoxication?*"

§ 80. From the nature of the case, and the fact of the law, we deduce the inference that no man has a *right* to buy, or to sell, intoxicating liquors. Rights are absolute, either in nature or society; but the privilege of sale and purchase is conditional. It is, therefore, only the *abstract theorist*, carried away by a moral yet melancholy monomania, or inflated by the conceit of a new philosophy, contradicted alike by the sense and the instinct of the race, who has the logical right of objecting to this argument; and his particular view we disposed of at starting. *Necessitas non habet legem.* For instance, a man may justify the pulling down the house of another, provided it be done to prevent the spreading of a dangerous fire. But what *flames* were ever so dangerous, and destructive as those of the Traffic in 'fiery Alcohol'? Necessity is the highest law of the occasion—so to speak, the Divine prerogative,—which has no law *above* it. From necessity, then, which is **MORAL UTILITY**, we undertake to deduce

the *right* of interference with the liquor traffic, to the extent of prohibition.

After the year 1724, the Spaniards prohibited the introduction of brandy into Chili, because, says RAYNAL, “the natives had become excessively fond of them, and, when intoxicated, used to take up arms, massacre all the Spaniards they met with, and ravage the country near their dwellings.”\* What man, out of Bedlam, and always excepting the theorists, would dispute the prudence and the right, or deny the duty, of proscribing the dangerous thing?

The Rev. MR ANDREWS, in his account of the Mohawks of Georgia, thus describes the effect of spirits upon them:—“They grow quite mad—burn their own little huts—murder their wives and children, or one another,—so that their wives are forced to hide their guns and hatchets, and themselves too, for fear of mischief.”† The Settlers in that province, therefore, interdicted, by an express Act, the introduction of any kind of strong waters. They who should deny the wisdom of such a measure, would be about as mad as the Mohawks themselves.

And have we not amongst ourselves at all times—more in number than many nations of Mohawks, and constituting our ‘dangerous classes’—persons who are literally rendered criminal or mad with whisky and other strong drinks? It is, therefore, not a violation of right, but a call of duty, to do all we can to put strong liquors beyond their reach. This, at least, we have the right to do; unless *they* have the right to make themselves mad and mischievous, and to claim our help in the process.

§ 81. Let us take a necessity of another kind; not involving violence to the body, but danger to its health, and risk of life. Some epidemic is in the city; and we have it, upon the evidence of our own observation, or the authority of a medical board, made probable that a certain kind of food, or certain shops and trades, constitute the *nidus* of the pestilence, and give a fearfully increased potency to its ravages? What is to be done? Is the municipal safety to wait upon the period when, by education or otherwise, you shall have produced a unanimous conviction upon the people concerned in these habits and trades,—a thing not very likely to be done, or at all events, not to be readily achieved? Is the disease, *in the meanwhile*, to go on affecting the general tone of health, and striking down our sons and daughters—the innocent with the guilty? But such is the Traffic precisely—such the drinking of alcoholic drinks anywhere—such its fatal power in aggravating disease and disposing to infection.

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\* *History of the Indies.*, London, 1788. Vol. iv, p. 209. We are glad to learn that this law still prevails to a great extent. It is referred to thus, in Wilkes’ *United States Exploring Expedition*:—“There is an admirable regulation of the Chilian Government,—that of not permitting liquors to be brought within a league of any mine, under a severe penalty, which is strictly enforced.”—I. 74.

† Vide Pinkerton’s *Voyages*. xii. p. 415.

Half our typhoid fevers are owing to this agency—and three-fourths of our cholera cases. In Washington, in 1832, the cholera was raging. The doctors declared the rum-shops to be its feeders; their customers the media of disseminating the infection, as well as the earliest victims. Whereupon the following was passed and published:—

“Resolved—That the vending of Ardent Spirits, in whatever quantity, be considered a *nuisance*—and as such, is hereby directed to be discontinued for the space of 90 days from this date. “By order of the Board of Health. JAMES LARNAID, Sec.” Was the board wrong in thus protecting the public health from the contagion of the traffic? If the Law had the right to close the traffic for 90 days, or 90 seconds, it had, if *necessary* to the end, the right to extinguish it for ever—i. e. to keep it closed. We can no more have pestilence in the city without being injured by it, than we can have chemical works near our homes without suffering from the fumes: and if we are entitled to protection in the latter case, we are, *a fortiori*, still more entitled to it in the former. Dr A. M. ADAMS, Professor of the institutes of medicine in the Andersonian University of Glasgow, says, under date of November 29th, 1848:—“I have found the use of alcoholic drinks to be *the most powerful predisposing cause of malignant cholera with which I am acquainted.*” He adds—“Were I one of the authorities, I would placard every spirit-shop in town, with large bills, containing the words—*CHOLERA SOLD HERE.*” A just title; but because just, the Law should *STEP IN AND SAY*,—“Cholera shall *not* be sold here.” Here, then, in the chief causes of *that* cause—in the houses licensed for dispensing the elements of disease—we have a system quite as inimical to our health and safety, as undrained houses, or unflushed sewers, or heaps of rotting matter—nay, we have in that which creates the drinker, an agency that is not simply a stationary *nidus* of disease, but one which distributes *walking plagues* throughout the land. To tell me that I have a right to abate the passive nuisance, but not the *peripatetic pestilence*, is to insult and mock my common sense.\* To complicate the problem by declaiming on the responsibility of the drinker, and telling me that he was not forced to purchase drink, etc., is worse than idle. We have nothing to do with these responsibilities, and leave drinker and drink-seller to adjust *that* matter between them. It is the *effect* of which we complain—it is *protection* that we demand—and we take the only effectual, which is evermore the *only right*, method of obtaining it. Instead of indulging in diatribes against the drunkard, or the drink-seller,—

\* The *Times*, in its article on the Beer Bill, says that a Public-house is not ‘necessarily’ a nuisance, and that it is ‘idle’ to say so. But what we affirm and prove is, that the *Traffic*, the system, is a nuisance. It is for the *Times* the Tipplers, and the Tapsters, to separate the *Traffic* from the fruits of it: when they have done this, and blanched the Blackamoor, our objections will cease.

or deplored the mischief of the system in beautiful but barren words,—we march under the broad banner of LAW, and to the music of rejoicing humanity, direct for the Capitol itself, and seize upon its magazines and munitions of war. “It does not propose to destroy those who are misled and drawn to ruin, but to cripple and annihilate *the power that misleads them*.”\*

§ 82. Society has frequently asserted its right, not simply to suppress the Traffic in spirits, but, under necessity, to prohibit their manufacture. Already we have furnished examples in the case of the legal stoppage of the Distilleries, in seasons of scarcity or famine. It would be monstrous, indeed, to affirm that men, with the prime right to live, derived from a common original, had not also the sequential right to stop the destruction of that food, in the lack of which the people perish! “*To you it shall be for meat*”—is the Divine charter for prohibitive interference. No man has an absolute right to food, or the land whereon it grows; both are given, as both are held, *in trust*; and to avoid certain consequences, positive or obstructive, both fields and produce are often interfered with. Law, landlords, farmers, merchants, buyers, are simply so many varied *media* for assuring the production and distribution of food, from the Father of All to his dependent children; and in no step of the process has the agency employed the right to *destroy*, in part or whole, the blessing to be conveyed—nay, not even the right to hinder its development.

In political disquisitions our principles are often unconsciously maintained: as by Lord STANLEY, at the recent Annual Show (1855) of the Manchester and Liverpool Agricultural Society, which called forth the following sensible remarks in a leader of the *Manchester Examiner* :—

“Capital is as much the soul of agriculture as of trade. As the motive power of labor, it is the essential auxiliary of all profitable enterprize whatsoever. The landlords of England are, or ought to be, capitalists. *The land they possess is a national trust, to be cultivated for the common benefit*. Every additional bushel of wheat obtained from an acre of ground cheapens food, and places a larger quantity of the means of subsistence within the reach of the great body of the people. Lord STANLEY deserves credit for the manliness with which he adopts this view. It is refreshing to hear from a person in his position such language as the following:—‘He would say with confidence, that he thought land in this country ought to be easier and freer to buy and to sell than it was. The real difficulties in the way were not legal, but social. One could sympathise with the feelings of a man who was reluctant to part with any portion of land he had once called his own; but PERSONAL FEELINGS MUST GIVE WAY TO NATIONAL NECESSITIES, and he did not hesitate to say that, whether consciously or unconsciously, any man was a wrong-doer as regarded the community, who retained the ownership of land which he had not the power to improve, but which he had the power to sell. The community had a right to say, ‘Either use your property profitably yourself, or let others use it for you. He wanted no English Encumbered Estate Act; but he did desire that every

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\* PROFESSOR MOSES STUART.

"landowner should be, so to speak, an encumbered estates court for him-self." This is admirable; though it is evident that his lordship's principles are somewhat, though pardonably, in advance of his disposition to put them into practice. *If the community has the right to use the language he puts into its mouth, it has also the right to give to it legal sanction.*"

Let us select a case or two, bearing especially on our subject. PENNANT says of Cantyre, in his *Second Tour in Scotland*, that notwithstanding the quantity of Bere [a kind of barley] raised, there is often *a sort of dearth*; *the inhabitants being mad enough to convert their bread into poison*, distilling annually 6,000 bushels of grain into whisky."\* This, we do not hesitate to say, and the improvidence, dirt, and indolence engendered by it, have as much to do with that frequently recurring 'Distress of the Highlands,' as any land-laws or absenteeism. In the Island of Mull some £3,000 was in 1848 raised and expended in charity, to stave off the effects of famine consequent on the failure of the potato crop. In the same year the islanders spent on Whisky not less than £6,099. In Skye, for the year ending October 15th, 1850, there had been expended on whisky, the sum of £10,855—or more than double the sum distributed by the Relief Committee, and more than double the consumption of 1845, the year before the distress began! "That is," says the *Quarterly Review*, "the increased consumption of whisky tallies with the extraneous aid received—in other words, the whole amount of charitable assistance went in whisky." Who, now, will contend for the *right* of these people to convert bread into poison, to enhance the price of the remainder, and to induce artificial dearth or famine? Has a farmer a right to set fire to his ripened corn? If not, how can he have a right to destroy it first, and in the act of destroying it, induce a whole Pandora's box of evils besides?

Cox says, in his *Travels*,† "I was greatly surprised to find that Sweden would produce sufficient grain for the internal consumption of the inhabitants, if such large quantities were not employed in the distillation of malt spirits." We have seen what has since come of the development of this 'right'! and the *Times*, dealing in casuistry and cheap philanthropy for the foreign market, has declared the simple truth on that matter. "The 'harvests have not augmented the general well-being in a degree 'equal to their amount, because they have been wasted in the 'fabrication of a liquor which threatens to undermine the noblest 'faculties of the people.'‡ It neither supplies the natural wants 'of man, nor offers an adequate substitute for them. Indeed it 'is far too favorable a view to treat the money spent on it, as if 'it were cast into the sea. *It would have been better that the corn 'had been mildewed in the ear.*" What matters it whether there

\* Pinkerton's *Voyages*. Vol. iii. p. 269.

† *Travels in Sweden*. Dublin, 1784.—p. 310.

‡ The *Times*, Dec. 1850, says nothing of trusting to Education and Moral Suasion here! It goes for Prohibition in Sweden—for Licence at home! "O, the *Times*! O, the manners!"

is actual famine, or only scarcity. The corn-laws were iniquitous at all times, though their pressure upon the poor was most felt in seasons of dearth. So with this system of Brewing and Distilling.\* In famine and emergency, the *selfishness* of Society, and its sense of self-preservation, lead to interference ; but it should be recollected in pity, that there is always in societies like ours, *a wide border-land* beyond the pale of competence, to the dwellers in which, a Maine Law, by reducing the price of flour as much as one shilling per stone,† would bring comfort and happiness ; while the existing system must sooner or later drive them further away into morasses of disease and misery, or into jungles of vice and crime.

If every just man, that now pines with want,  
Had but a moderate and beseeming share  
Of that which lewdly-pamper'd luxury *destroys*—  
Nature's full blessings would be well dispensed,  
In unsuperfluous even proportion,  
And she no whit encumber'd with her store ;  
And then the Giver would be better thank'd,  
His praise due paid.‡

§ 83. Never shall we forget, while memory retains its seat in the soul, the ghastly scenes that transpired in Ireland in 1847-8 ; scenes upon which, even after the worst was over, we gazed with shuddering affright. At the same time, in England, mobs of hungry and often dissipated poor, paraded our streets, headed by drunken and infuriated women—crying out for *bread*. Was there at that period, a real natural and inevitable famine ? No such thing ! It was distinctly proved that we had an ample supply of food for all the natural wants of the people ; and that the impending horrors of starvation might be averted by stopping the breweries and distilleries in their work of destruction.. The terrible system, however, seems to be eating out the moral susceptibilities and energies of the country, rendering torpid its conscience and petrifying its heart. Out of 600 senators of the Commons House, not *one* was brave and patriotic enough to move for the remedy required ; and which, in other days of our history, would have been instantly and providently applied. The work of waste and wickedness went on, and the seeds of want were sown

\* "It would probably provoke rebellion if the government were to license men to take such immense heaps of grain and burn them down to ashes; but wicked as it would be to destroy the food of the famishing by fire, it may well be concluded that it is far worse to convert them into beverages which incite those who drink them to the commission of crimes, various in kind, and incalculable in number." *Bible Christian Magazine*.

† 8,748,000 quarters of grain—equal to four years' importation, are now annually destroyed in Brewing and Distillation. This, too, in a season of *Bread Riots*. "In Exeter, the mob was incited by women, as in the riots of 1847. Several of the prisoners of maturer age are the mothers of large families, and their infuriated conduct may be attributed to ignorance and the excitement produced by intoxicating drink." (*Times*, January 18th, 1854.)

‡ *Vide Milton's Comus.*

broad cast, to rise up to a fearful harvest. Then was seen a nation mocking Christianity and Civilization with its hypocritical professions, engaged in a grand sacrifice of health and life to Baal and Bacchus. Wasted and wailing children wandered through our streets—yet Appetite went on to the next Tavern, and drank the bread of those innocents dissolved in gin ! Famished mothers walked the village lanes, where briery scents and blossoms mocked their hunger—Respectability cast the hungered one a copper, and passed on to drink its beer ! The Farmer saw the starving peasants around him, but he too went on, carting the corn to the steeping vat and the malt kiln. The Maltster transmuted the grain into malt—the Brewers brewed it into stupefying beer, or the Distillers into maddening whisky—and the Publican, whilst the voice of hunger and suffering ascended to the skies, still went on dispensing the pernicious products ;—above all, sanctioning all, waved the banner of mistaken Law : “*LICENSED TO DESTROY FOOD AND CREATE FAMINE.*” That period of indifference is a blot upon our history—an indelible stain upon our patriotism and humanity ; for thus and then was destroyed by the makers, vendors, and purchasers of intoxicating drinks, more grain than would have sustained in health and abundance the entire population of the sister country ! Half-a-million of souls were sacrificed to the Traffic.

§ 84. Even the organ of the Publicans—the *Morning Advertiser*, in its issue of October 30th, 1846—could foresee the coming calamity, and admit the wrongfulness of destroying the food of the people. It said :—

“ The substitution of sugar for malt in the process of brewing and distilling, is daily becoming more a question of necessity than of policy. It involves the consideration, Whether it will not be a criminal and suicidal act to sacrifice nearly eight million quarters of nutritive food, in the production of innutritious though useful\* drinks, when famine already stalks in Ireland, and her approach is hourly dreaded in this island ! From parliamentary returns, the average annual consumption in brewing appears to be upwards of 3,665,000 quarters, exclusive of a very large quantity used in private brewing ; and in distilling, the annual average is upwards of 3,872,000 quarters ; in the whole, more than 7,537,000 quarters ;—but the quantity estimated to be *required for malting* for the ensuing year, exceeds eight million quarters.

“ In a time of famine, it behoves us to apply solely to the purposes of food whatever is capable of furnishing nutrition. Dr PLAYFAIR, Hon Professor of Chemistry at the Royal Manchester Institution, says, in one of his lectures :—‘ I find that 100lbs of oatmeal contain 11½lbs of the flesh-forming principle, and 78½lbs of fuel to support the heat of the body. Hence it is that oatmeal porridge is so well calculated for young people, who require an abundant supply of albumen to furnish materials for their growing frames. A good specimen of barleymeal, with its husks mixed, I found to contain as much as 14lbs of albumen, or flesh-forming principle,

\* ‘*Useful drinks.*’ This is the remnant of the fallacy, and will speedily pass away. It should be ‘*noxious drinks*’ which carbonize the blood—i. e. rob it of oxygen, the agent of its purification.

in every 100lbs, while the substances adapted to support the body amounted to 68 lbs in the 100. Barleymeal is, therefore, more nutritious than the same weight of oatmeal.

"It is, therefore, of the first importance, under present circumstances, to prevent the employment of a valuable article of food in processes which can be effected with equal advantage by other means. By a temporary prohibition of malting, and the admission of colonial sugar and molasses into the manufacture of beer and spirits, we shall attain two very desirable objects—the one, the preservation of barley for food; the other, the relief of the sugar growers in the colonies, whose interests are affected by the measures for the equalization of the duties on this article.

"With respect to the quality of beer from sugar, all who have tried it declare that it possesses the same qualities as the beer from malt. By some it may be supposed that the working man will lose a nutritive beverage; but this is a misapprehension of the subject.\* After fermentation, no albumen or flesh-forming principle remains in the liquor, which has now become vinous, and by another simple process [distillation] may be converted into alcohol; besides, whatever of this principle is found in malt-beer, must also be found in sugar-beer. There may be some difference in the flavor, to which use would reconcile the palate; but a MATTER OF TASTE CANNOT BE ALLOWED TO COMPETE AGAINST SO IMPORTANT AN OBJECT AS PRESERVING THE FOOD OF THE MULTITUDE; and we can see no other objection to the proposed substitution.† As to spirits, those produced from sugar are well known; and no question can be raised in regard to comparative properties of nutrition, since all kinds are equally deficient. The double object of saving an immense quantity of grain for human food, in a time of scarcity and dearth, and of compensating the colonies, by furnishing them with a large consumption for their produce, is highly deserving the attention of the legislature."

Writers on Moral Philosophy, and Jurists, have uniformly contended for the right of the State to prohibit that which directly tends to impoverish it. Amongst the ancient Hebrews we find this declaration :—" He that withholdeth corn, the people shall curse him." The same instinct of truth is at bottom displayed even in a Bread riot : "We have a right to live; and therefore to the means of living"—which is perfectly true, if the word 'natural' is inserted before the word 'means.' If a man himself throws away his means, that is another question. *An early law of England sternly prohibited the conversion of corn into spirits for the purpose of beverages.* Queen ELIZABETH strictly enforced this wise old statute, and treated its infringement as a social offence. Sir MATTHEW HALE earnestly supported it, and opposed any attempt at its abrogation, predicting that millions of people would destroy themselves by such fatal liquors. When the act to encourage distillation from corn was passed, WHISTON

\* Whilst an anonymous writer in the *Westminster Review* is sophistically teaching that Alcohol is Food, Professor MOLESCHOTT, in his *Theory of Food* (§.77) even though no teetotaler, is compelled to admit that "Spirits, in their proportionate amount of nutritious matter, do not even bear comparison with sugared water. Alcohol, their essential element, and the most important substance in beer and wine, is not transformed into any blood constituent. It DOES NOT, THEREFORE, DESERVE THE NAME OF AN ALIMENTARY PRINCIPLE." (See *Works of Dr Lees*, vol. i. Appendix, p. cxix, for further remarks on MOLESCHOTT.)

† We object, not to the 'substitution' of a less bad process for a worse, but to all bad processes.

wrote thereon : "Parliament has abrogated a very good law : nay, they have in reality encouraged the people to drunkenness, and to the murder of themselves." PALEY has these admirable words : " From reason or revelation, or from both together, it appears to be God Almighty's intention that the productions of the earth should be applied to the sustenance of human life. Consequently, all waste and misapplication of these productions is contrary to the Divine Intention and Will, and therefore wrong, for the same reason that any other crime is so,—such as destroying, or suffering to perish, great part of an article of human provision, in order to enhance the price of the remainder,\* or diminishing the breed of animals, by a wanton or improvident consumption of the young. To this head may also be referred what is the same evil in a smaller way, the expending of human food on superfluous dogs or horses ; and lastly, the reducing the quantity, in order to alter the quality, and to alter it generally for the worse,—as the distillation of spirits from bread-corn."†

§ 85. It has been sufficiently shown, we hope, that 'liberty' is not right ;—that the only just liberty is 'rational liberty' ; and that amongst just examples of rational liberty, actions which are socially evil, whether evil in their issues or tendencies, cannot be fairly included. In the case before us, the evils are confessedly COUNTLESS and UNPARALLELED. If society, then, does not infringe a rational liberty by proscribing and destroying the mere *instruments* and facilities of crime—as the coiner's *die* or gambler's *dice*,—how can it be alleged that we trespass upon a just liberty in prohibiting the active, unscrupulous, and organized System which nourishes and conserves three-fourths of the crimes and calamities of the nation ? There is no objection that can be framed to a Maine Law on the ground of 'liberty,' which will not hold good equally against all law, and especially against the law for interference with drunkenness. Judge BLACKSTONE, in his *Commentaries*, states the case very plainly : " Let a man be ever so abandoned in his principles, or vicious in his practice, provided he keeps his wickedness to himself, and does not offend against the rules of public decency, he is out of the reach of human laws ; but if he makes his vices public, though they be such as seem principally to affect himself, as drunkenness and the like, they then become, by the bad example they set, of pernicious effects to society, and therefore it is then the business of human laws to correct them."‡ If this *correction* can (as we have attempted to show) be really administered

\* The intention makes no difference in the effect of an action ; and Society has to do only with tendencies and results.

† *Moral Philosophy*, book ii, ch. 11.

‡ *Commentaries on the Laws of Eng'lan'd*, i. p. 124. There are other reasons for locking-up a drunkard : as, to preserve himself from harm ; or to avoid accidents to which he is exposed, lest his family should become public burdens ; or, by punishment, to reform him and avert those evils in the future ; or, if he be excited, to prevent his doing mischief.

*only* by proscribing the Traffic, then it becomes our duty, and therefore our right, to proscribe and suppress it. With these views, we have little tolerance for the present system of Legal Licence—a system which, in simple truth, as the *Judges* confess, consists in the Government first planting a hundred thousand Seminaries of Sin throughout the land, and then, second, commissioning its Judicial officers to take their stated ‘circuits,’ and adjudge to the most advanced Students the penalties of proficiency. Worse than the Fate of Penelope this! It appears as if we were doomed in our legislation to exemplify the darkest parts of classical mythology; for, like Jason, we sow our dragon’s teeth, and, like Chronos, we strangle the offspring of our own laws:—may we hope that the remainder of the fable will yet fit us; that, flying from the Saturnine past, instead of teaching intemperance to our people, we may inaugurate those arts of Industry and Peace that shall usher in ‘the golden age.’

§ 86. Attempts have been made, by the cry of ‘Rights and Liberties,’ on the one hand, and by mystico-metaphysical ‘Sphere of Government’ jargon, on the other, to instil prejudices into the popular mind.

SMOLLETT, writing of the year 1730, furnishes an illustration of the strange lengths to which phrases will sometimes carry Society, when it abandons its faculty of thinking:—

“England was at this period infested with robbers, assassins, and incendiaries, the natural consequences of degeneracy, corruption, and *the want of police* in the interior government of the kingdom. This defect, in a great measure, arose from an absurd notion, that laws necessary to prevent those acts of cruelty, violence, and rapine, *would be incompatible with the liberty of British subjects*;—a notion that confounds all distinctions between liberty and licentiousness, as if that freedom was desirable, in the enjoyment of which people find no security for their lives or effects.”

BENTHAM, long ago, characterized and confuted this style of thing. “With men of the same party [and interest], with men whose affections are already listed against the law in question, anything will go down; any rubbish is good that will add fuel to the flame;—but with regard to an impartial bystander, it is plain that *it is not denying the right of the Legislature* or any discourse verging that way, that can tend to give him the smallest satisfaction. Grant even the proposition in general—what are we the nearer? Of what use is it to say so, when these bounds are what nobody has ever attempted to work out to any useful purpose? Either all rests in vague assertions, and no intelligible argument at all is offered; or, if any, such arguments as are drawn from the principle of *utility*; arguments which, in whatever variety of words expressed, come at last to neither more nor less than this,—*that the tendency of the law is, to a greater or less extent, pernicious*. If this, then, be the result of the argument, why not come to it at once? Why turn aside

into a wilderness of sophistry, when the path of plain reason is straight before us?"\*

§ 87. Reflecting and influential writers of the day have already, we rejoice to see, admitted the harmony of the principles of government for which we contend with a prohibitory Liquor Law. They could not fail to perceive that the *right* of prohibition was virtually admitted in the Licence system, and, as we have before observed, the right to interfere *at all* carries with it the right to interfere effectually. Moreover, these publicists have seen that the Licence system *was* prohibition—partial prohibition, as regards places, but still real prohibition in respect of persons. Can *anybody, anywhere, anyhow*, sell strong drink? No. Only certain persons are permitted to do this, and even they are *prohibited* as regards the person to whom, the measure which, the place where, and the time when, they shall sell.† And you, reader, are not permitted to sell it. In the village where we write, only *three* persons out of the whole are licensed to do this; the rest being *prohibited* from doing so; and those three *ought* to be. To talk about another step in that direction being an infringement of 'right' is not to reason, but to rant. Do they grant 'natural rights' at a Brewsters' Sessions? A whole Alphabet of Applicants are there; but the Magistrates refuse all the Consonants, and empower *only* the Vowels to be Vintners. If A, E, I, O, and U are certainly privileged to sell: B, C, D, and the rest down to Z, are certainly *prevented* from selling.

Why don't the *unsuccessful* applicants make an outcry about their 'rights being invaded,' and, copying the Bonifaces of Birmingham, call upon the people to 'make a stand'? Nothing can be more palpable than the fact that prohibition, in some shape, is of the essence of the present system; and hence the futility and falsehood of the cry, that Anti-Liquor-Laws are a novelty in legislation. They are simply the historic development of a power and a principle already in being, *to the point of effectuality*.

Mr CONYBEARE, in a generally excellent article in the *Edinburgh Review*,‡ thus ably justifies the expediency of total prohibition:—

"There are some trades to which the state applies, not restriction merely, but prohibition. Thus the business of coining money is utterly suppressed by law in all civilized states; thus the opening of lotteries is a commercial speculation forbidden by the law in England. If it be asked on what

\* *Works*, vol. i. pp. 288-9.

† In fact, the theory of 'Licence' is virtually based upon the right and fact of universal Prohibition. The Law first imposes a *general prohibition* of the Traffic, and then provides for *particular exceptions*, under the plea of 'convenience' and the name of 'Licence.' The Maine Law does not differ at all in principle from this theory—it but further reduces the convenience to that of one or two Municipal Agents, in a district, selling for medicinal, artistic, or non-diietetic uses, that is, for *socially safe* uses.

‡ July, 1834. For a criticism on some of its parts, see *Works of Dr. Lees*; i.

grounds the state is justified in annihilating these branches of industry, it must be answered, that society may put down what is dangerous to itself,—*SALUS POPULI SUPREMA LEX*. Any trade, employment, or use of property, detrimental to the life, health, or order of the people, is by English law a public nuisance; and in suppressing it, the state assumes the right of sacrificing private interests to the public good: and this not only when the detriment is physical or economical, but also when it is moral. Thus unwholesome grave-yards are shut up, and noisome vitriol works pulled down, for their physical noxiousness; private coining is made illegal for economical reasons; slave-trading, lotteries, cock-pits, bear-gardens, gambling-houses, brothels, and obscene print-shops, are prohibited on moral grounds. Now the liquor traffic, and particularly the retail branch of it, is a public nuisance in all three respects, both physically, economically, and morally. By its physical consequences it causes death to thousands, reduces thousands more to madness or idiocy, and afflicts myriads with diseases involving the most wretched forms of bodily and mental torture. Considered in its economical results, it impairs the national resources by destroying a large amount of corn, which is annually distilled into spirits; and it indirectly causes three-fourths of the taxation required by pauperism and criminal prosecutions and prison expences; and further, it diminishes the effective industry of the working classes, thereby lessening the amount of national production. Thirdly, viewed in its moral operation, it is the cause of two-thirds of the crime committed; it lowers the intelligence, and hinders the civilization of the people; and it leads the men to ill-treat and starve their families, and sacrifice domestic comfort to riotous debauchery."

§ 88. As to *Trade*, none of its legitimate claims can be infringed by a prohibitory law. *Free-trade* is a eulogistic phrase only so long as it is confined to good things. A *commerce* like the Slave-trade can be free only in a dyslogistic sense—the freer it is, the worse it is. Once, as SMOLLETT shows (§ 69), the Traffic in gin was impudently demanded as an aid to the traffic in men—and, in sooth, the two trades may fitly go together: one enslaves the brutalized children of Ham; the other brutalizes the civilized sons of Japhet. Besides, no argument can be set up for saving the vats of the Brewer, or the stills of the Distillery, by way of objection to an Anti-Liquor-law, which does not equally hold against moral Temperance. But who was ever fool or knave enough to drink the toast—“May Commerce florish on the drunkenness of our country”? Bishop BERKELEY, whose whole life was spent in the love of truth and in labors for humanity, emphatically condemned the Distilleries as a curse:—“Better by far the whole *present* set of Distillers were *pensioners of the public*, and their trade *ABOLISHED BY LAW*, since all the benefit thereof put together would not balance the hundredth part of the mischief.”

A Maine Law, instead of crippling our commerce, or injuring legitimate Trade, would not only send our Temperance Vessels with augmented safety and diminished risk to their destined ports, but multiply their number and increase their profits beyond all parallel,—and Britain would not simply maintain her old position amongst the commercial nations of the world, but attain to a higher destiny, and wield a purer influence, than

the most ardent of her patriotic sons has ever dreamed for her. Even the *Times*, in its intermittent fits of wisdom, can perceive the prodigious importance of liquor abolition to a country. Here is one of its happiest dicta. "No way so rapid to increase "the *Wealth of Nations*, and the Morality of Society, as the "utter annihilation of the manufacture of ardent spirits, con- "stituting as they do, an infinite waste and an unmixed evil."\* The corollary is clear—No way so rapid to *decrease* the *Wealth of Nations* as the encouragement of the Traffic.

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\* *Times*, December, 1853.

## CHAPTER VI.

“THAT THE LEGISLATIVE SUPPRESSION OF THE LIQUOR TRAFFIC  
WOULD BE HIGHLY CONDUCIVE TO THE DEVELOPMENT OF A PRO-  
GRESSIVE CIVILIZATION.”

§ 89. Man, the individual and the race, is evidently formed for progression in knowledge and power. It would be a libel on the Creator, and in contradiction of our highest consciousness, to suppose that knowledge was not tributary to virtue and a moral life. The insect, the bird, the beast, are governed in their actions by an almost unerring impulse, or adaptation, called Instinct; an instinct that finds its play with a rapidity and perfection altogether unlike the labored results of human reason. It does not wait upon experience, but vaults to its maturity, so that the youngest working bee is as wise as the oldest, and the cells of the honeycomb fabricated in the last summer, are not a whit more perfect than the cells of the comb which received the honey first gathered from the thymy banks of the primitive garden. Reason, however, *grows*—develops, not only in youth, but throughout the whole period of human existence: Intelligence *enlarges*, filling vaster spaces in the sphere of knowledge, and taking deeper vision and broader flights into the domain of nature: Speech, the winged messenger of Mercury, the Registrar of History and Time, the nimble, subtle Slave of Science, multiplies her powers to meet all exigencies, and stores up in Memory and in Books, the discoveries and treasures of each successive age for the service of the next. The architecture of man is progressive: the conquests of one epoch are the historic stepping-stones over which another generation walks to further achievement. *Go, and subdue the Earth!* is the everlasting chime to which the world marches on its way to Industrial Conquest—the daily music of aspiration and of consolation which springs eternal from the recesses of the human soul.

But man is a being of complex faculty: *physical, intellectual, moral*. And there is an hierarchy of powers. As the stars of the firmament differ in glory, so do the stars of the mental heaven in dignity and in use. We tread on the earth, yet the earth is but our tent and instrument, not our everlasting home. So the body is partly the Theatre, where we have to learn our parts in the drama of life, and partly the instrument of the soul,

with which our work is to be done. *Sense* and the *Body* are means to an end higher than themselves. *Intelligence* comes next—which is the Intellectual faculty duly trained and instructed. This, however, in turn, must be subordinated to the *Moral Will*—to the uses of that Conscience which is God's secretary within us,—of those divine enthusiasms of Hope and Aspiration and Reverence, that lift us above despair, and make palpable the spiritual realities which we cannot see,—of that still more Godlike quality of Love that makes our hearts beat in sympathy with the heart of humanity, giving even life for life, and which looks in tenderness and pity upon the sufferings of the meanest things!

§ 90. CIVILIZATION, consequently, may be defined as *the predominance of Humanity over Animality*—the subordination and subjection, more or less perfect, of passion to principle—of impulse to thought—of selfishness to duty—of lust to love. We believe that this subordination of the lower to the higher nature, the assimilation of feeling to the Divine law of life, is the great end of being, to the race as to the individual. We believe, further, that this is strictly a course—that it must partake of the attribute of progression—be developed by degrees, not infused at once. With this faith in the destiny and possibilities of man—believing that such a civilization is capable of indefinite advance—we predicate in addition, that the Legislative Suppression of the Traffic, under the conditions proposed, would greatly conduce to 'a consummation most devoutly to be wished.'

Everybody who reflects must see that the development of the higher faculties of man are dependent on two conditions—one positive, the other negative. We must secure them their approximate excitements on the one hand, and we must remove that which stimulates the lower faculties on the other; for what these gain the others lose. The rapidity of the development of these powers respectively will be in an inverse ratio, since the torpidity of the one is the activity of the other. The worst attribute of 'bloody war' is not the blood that is shed,—of revolution or riot, not the property that is destroyed,—but, in a moral point of view, it is the terrible stimulus which war and revolution give to the activity of the lower passions,—the overbearing impetus which they impart to the brutal propensities of man. This, too, is our objection to the Traffic—it is a trade that deals out the very elements of disorder and pollution—which, by necessary tendency and inevitable physical law, disturbs and depraves the community. The *Times*, in its article on the *Alliance*, regrets that the Report had not "gone a little into the *physical bearings* of the question." And, perhaps, the *Times* is not unreasonable in its regret. Without pressing too far the claims of physical Teetotalism, which is the proper business of the Temperance Society, it is quite within the province of a political disquisition to probe to the bottom the social sores from which

the body politic is suffering. When that is done, it will be found that there is a physical philosophy and law underlying the social. In sanitary and educational questions this is already perceived and acknowledged ; and, sooner or later, it must be so in regard to this topic. Still, we can take our stand on the admitted FACTS of Society ; and without relegating the fundamental and *explanatory* truth which alone accounts for those facts, press home the claims of this social movement on the common sense and patriotism of our countrymen.

§ 91. 'FIERY ALCOHOL,'\* we affirm, then, by necessary law, antagonizes moral civilization, because it disturbs the normal action of the soul, diminishes the activity of the superior powers, and unduly excites the inferior propensities of our being. This has been confessed by the Legislators, the Philosophers, the Moralists of all ages : it is the combined testimony of History, of Scripture, and of Every-day life. (See §§ 13, 15, 16, 29, 69, 73.) Alcohol transforms the tender father into the ferocious savage. It steals the heart of mothers to the claims of dependent children, sears the conscience of the criminal, and by extinguishing the last spark of pity, prepares him for the perpetration of his sanguinary crimes ;—in one word, while it casts over all the highest attributes of man the mire of sensuality and sin, it provokes to ungovernable cruelty and fury, the baser and more brutal passions of his nature. It is this law, this tendency, which explains the reason of our social state of degradation, after all the efforts of philanthropy and patriotism put forth for sixty years. We have actually supplied the citadel we professed to assail, with the provisions and ammunition for sustaining the siege and protracting the struggle. Mr CHARLES BUXTON has admirably expressed this fact :—

"It would not be too much to say, that if all drinking of fermented liquors could be done away, crime of every kind would fall to a fourth of its present amount, and the whole tone of moral feeling in the lower orders might be indefinitely raised. Not only does this vice produce all kinds of wanton mischief, but it also has a negative effect of great importance. It is the mightiest of all the forces that clog the progress of good. It is in vain that every engine is set to work that philanthropy can devise, when those whom we seek to benefit are habitually tampering with their faculties of Reason and Will—soaking their brains with beer, or inflaming them with ardent spirits. The struggle of the School, the Library, and the Church, all united against the beerhouse and gin-palace, is but one development of the war between heaven and hell."†

In other words, the Traffic is essentially adverse to civilization. That the world is a battle-field, on which is to be played out the contest of Light against Darkness, of Good against Evil, of Civilization against Barbarism, is a thought of the very earliest

\* *Westminster Review*, 1855. It adds, "The fatal gift of fascination, which makes dalliance with her dangerous."

† *North British Review*, February, 1855. Article, 'How to stop Drunkenness.'

times.\* In an age like our own, when the contending forces are more distinctly visible than at any former period, it becomes the Captains of Humanity, not only to make a due survey of their own position and power, but to estimate with accuracy of the forces of the enemy and the strength of his stronghold. Some of our allies are doing this; and they have already discovered that the great enemy is entrenched everywhere amongst us, with Intemperance for his Engineer.

"It is, 'in short, intoxication that fills our gaols. It is intoxication that fills our lunatic asylums. And it is intoxication that fills our workhouses with poor. Were it not for this one cause, pauperism would be nearly extinguished in England.'†

It is quite impossible, within the limits prescribed to this Essay, adequately to measure and marshal the hosts of intemperance, for their name is 'Legion.' All we can attempt to do, is to open up glimpses into this wilderness of darkness, uncleanness, and horror. We may briefly look at the following, however, which stand out most distinctly from the shadowed background:—

DRUNKENNESS IN ITS VARIOUS DEGREES.

POVERTY AND PAUPERISM.

IGNORANCE, WITH ITS BRUTALITY AND VICE.

PROSTITUTION AND ITS CONCOMITANTS.

ACCIDENTS AND DISEASE, ESPECIALLY IDIOCY AND MADNESS.

OFFENCES AND CRIME.

These are the adversaries of Civilization with which we have to fight, the barriers we have to level with the earth, that the Car of Progress may pass on its way. It is in contending with these evils that the country is drained of its wealth, both of energy and purse, and our positive conquests over Barbarism and Nature immeasurably retarded.

§ 92. The mere *Cost* of all this, so far as a Prohibitory Liquor Law would be likely to lessen it, may be approximately estimated;‡ yet *that* is as nothing compared with its moral mischiefs—its power to destroy the great ends of human life, to mar human happiness, to break in with frightful discord upon the harmony of Society. Supposing that a Maine Law removed *only* three-fourths of the present Drinking system,—leaving a tolerable margin for domestic brewing, and for other possible sources of private supply,—we shall be under any preceding calculation, if

\* See II Esdras, ch. vii., v. 57.

† Mr Buxton, Article just cited.

‡ In *Liverpool alone*, the annual cost of prostitution and associated crime was calculated, in a report to the Watch Committee, at £700,000.

we estimate in round numbers the annual National Gain and Saving as follows :—

Direct cost of $\frac{3}{4}$ ths of the Liquors consumed saved £56,000,000
Productive Labor, lost by idleness and disease..... 30,000,000
Cost of Pauperism, Crime, Disease, Accidents, &c. 14,000,000
<hr/> £100,000,000

This is a sum, now annually wasted, of the elements of national wealth and happiness as great as was spent in seven years upon all the railways of the kingdom, in the very hey-day of railway projects—viz. from 1841 to 1847 inclusive ; and which, if saved annually for seven years, would blot out the National Debt ! If the absorption of less than £100,000,000 of capital from ordinary channels into that for the construction of railways, occasioned the country so much inconvenience and alarm when spread over a series of years, we leave the reader to realize the prodigious impulse to Trade and Commerce, to Industry and Art, to Education and hopeful Progress, that would follow the Reform for which we plead. The history of the world could not supply its precedent and parallel. The demand for labor would everywhere rise, and wages and profits relatively increase ; food would become cheaper because more plentiful ; agriculture and trade in every department florish ; and even taxes, those vexed necessities, grow

“ Small by degrees, and beautifully less.”

Withal, nobody would suffer save those who, under the present system, live upon the sufferings and the sins of others ; and they only for a time.

§ 93. The first consequence of the Traffic (amenable to law) is DRUNKENNESS—or ‘ disorderly conduct’ arising from initial drunkenness, since neither law, nor physiology, nor logic, can discover any distinct, definable line of separation. All that can be said with precision is, that he who gives his customer exciting drink, *prepares* him for drunkenness ; which is some indefinable further stage, on the same road. It may be the excitement or perversion of passion, or of sullen temper ; or it may be riotous or noisy excitement, of vanity or combativeness ; or it may be the narcotism of helpless drunkenness ; but in *all* stages, it exposes either the drinker, his family, or his neighbor to harm. It is not a *right*, appertaining to man by nature ; neither is it a privilege conferred by society, nor a right springing from its constitution ; but it is a condition of evil which has been legally prohibited, even while its causes have been licensed.

Baron BRAMWELL is reported, in the *Birmingham Mercury* of the 15th March, 1856, to have said, in a case of wounding a policeman at Tipton :—“ When a man was charged with the

"trumpery offence of being 'drunk and disorderly,' it did not matter whether he was or was not punished." This seems very lax law and worse morality, for a man in drink is often a demon in act, and at all times dangerous either to himself or others. At the late Liverpool Assizes, Baron MARTIN, sentencing two seamen to death for the murder of one W. House in that town, observes:—"I don't enquire what considerations induced the Jury to recommend you to mercy; probably it was *the state of drunkenness* into which they supposed all of you had reduced yourselves by the time the deceased had met his death at your hands." According to one Judge, then, that crime which is the chief *cause* of most crimes is a 'trumpery offence'! and, according to some Juries, the previously *putting oneself into a criminal state* is an excuse for the worst criminal acts!! A judge, appointed to vindicate the law, pleading the veniality of that drinking which leads princes and people alike to *forget the law* (Prov. xxxi. 5), is an event which we hope does not often occur in an English Assize Court.

*To what extent does this vice prevail?* It prevails more or less in all classes and ranks. Not in the highest ranks in the grossest form, for it is no longer *fashionable* to get openly 'drunk' and boast of it—but in its modified 'disguise,' its preparatory stages, it is not at all infrequent. In the literary circles we have, in our own time, known many examples. Several of the first writers of the day are victims of alcoholic or morphinic excitement. In the past generation, we have a terrible catalogue—PORSON, BYRON, CAMPBELL, COLERIDGE, LAMB, JEFFREYS, WILSON, HOGG, SCOTT, THOM, CARLTON, MAGINN, and others. At the Universities, both of Britain and Ireland, drinking and its kindred vices of dissipation and gambling, are notoriously common. In the Army and the Navy, witness some recent escapades.\* The Christian Church itself is not safe from the ravages of this insidious foe. "The Priest and the Prophet err through strong-drink." We have known, not one minister, but scores of clergymen ruined by the Syren Alcohol. Three distinguished dissenting preachers, *in our locality*, whom we knew, were dismissed from their pulpits—one, the eldest of the three, the Rev. E. P., fell into the snares of drink first, seduced a lady of his congregation, and died abroad;—the second, the son of the former, and one of the most eloquent preachers to whom we ever listened, became a hopeless drunkard, and it is to be feared died in that state, from the result of an accident;—the third, the Rev. W. T., we heard of some time ago, in the west, the most

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\* As regards the common soldiers, government testifies to the prevalence of the vice; and in order to promote the sobriety and good conduct of the soldiers, the sale of Ardent Spirits is now *prohibited* in the Canteens; while the Lords of the Admiralty have ordered the allowance of grog to be withdrawn from the *midshipmen and boys* engaged in the naval service.

degraded set of the place where he resided. The newspapers of the day are even now giving notoriety to three cases of drunken clergymen—one, a Sussex Rector, sentenced by the Arches Court to two years' deprivation of his 'benefice'; the other a clergyman of Darlington, unanimously found guilty by the commission; the third, a clergyman who dies of *delirium tremens*, and whose Life Assurance is disputed by the office in which he Assured!\*

In the ranks and circles named, these things are very much hushed-up; the convenient cab conveys the genteel inebriate to his home; or, if there, the servants lead him quietly to bed, and thus the public do not often *hear* of these cases; but now and then, when the curtain is withdrawn, what a revelation of interior life there is! Literary writers often talk of the vast sobriety of certain classes.† Their *wine bills* tell a different tale. Things, no doubt, are more civilized—are better than they were twenty or thirty years ago—but they are still *very bad*. "There seems," says an Edinburgh physician, "even at this day, too much reason to suspect that we are entitled to boast of no greater improvement than that what was, in many instances, done openly and boastfully then, is practised secretly and evasively now."‡ We can name one cathedral city in the North of England, where, of the last twelve surgeons and physicians who have died there, it is certain that *not two* were sober men; and equally certain that the lives of half of them were confessedly cut short by intemperate habits. The certificates of death assign only the proximate cause of death—the *disease* of which they died—congestion, erysipelas, apoplexy, paralysis, etc.—but what was the cause of *that cause*? Mostly, habits of free drinking. A physician, and a Mayor of one of our northern cities, observed to a friend of ours the other day, that a large majority of the country practitioners come to their deaths through intemperance; and that an eminent London physician had told him that when summoned into the country for consultation, he very frequently found that some error in treatment had been committed in consequence of the vinous obfuscation of the medical attendant; but that he could rarely recommend a change, since

\* The Rev. THEODORE BUCKLEY, when very young, studying in the British Museum, attracted the attention of a gentleman of fortune, who so admired his mental abilities that he sent him to complete his education at Oxford. There he rose to the post of Tutor, but, unfortunately, acquired an appetite for strong drink, which at last dragged him down this 'dusky road to death.'

† It is an infallible proof of a wide-spread love of drink, when we find men of station, and conductors of the public press, endeavoring, by every sophistical art and by one-sided statistics, to lessen the odium which attaches to the offence of drunkenness itself, and to hide its real extent. They appear to express themselves under the feeling of the necessity of self-justification, which alone *accounts* for the style and temper of their productions—for the scornful and contemptuous language which they shower upon those social reformers who lament the evil and seek its cure. We here refer particularly to *Household Words*, the *Leader*, Douglas Jerrold's *Newspaper*, *Bristol Mercury*, the *Scotsman*, etc., not forgetting Mr. F. H. BERKELEY's *Orations to the Tapsters*.

‡ *Pathology of Drunkenness*, by CHARLES WILSON, M.D. Edinburgh, 1835.

in most cases, a change would have made no difference ! What the amount of actual *drinking* is, may be judged from the fact, that it appears from the returns of Assurance Societies, and of the Registrar General, conjointly, that, *excluding altogether* the cases of mortality just indicated, *one out of 19 of the adult male population between the ages of 30 and 60, dies of drinking!* What is the carnage of the Crimea compared with this perpetual slaughter ?

§ 94. Descend, however, from these small classes, to the *bulk* of the people—to the Nation, in fact, for whom laws ought to be made ;—examine into Intemperance amongst our Tradesmen, our Mechanics and Craftsmen, our Yeomanry and Peasantry, once ‘our country’s pride’ ; and all that mass, technically entitled ‘the lower classes,’—and what do we then find ? CRABBE’s descriptions, in the beginning of the century, are not yet obsolete. We can speak for the habits of one large town, and one of the most moral in the kingdom. You might go into every public-house in the neighborhood of the shops and houses of the Tradesmen, and from eight to twelve o’clock you should find a room, sometimes two, crowded with these men, debating local or general politics, discussing current events or private character, but *invariably drinking spirits*, and the great majority going home, *not* certainly much before twelve o’clock, half-seas over or ‘the worse of liquor.’ Even if these men *are* a little too much elevated, they are the patrons of the police, are perhaps in the council, and when they do ‘cross the line,’ they will, as very ‘respectable men,’ be helped home, and not to the police-office to swell the returns. We could go through the history of dozens of such persons who have been known to us, and show the effects of this system in the neglect of domestic life, in the lowering of the moral tone, in the sure generation of a craving for the drink itself, in injured health, in tainted character, in inattention to business, often in bankruptcy, and, in some instances, in the climax of suicide.\* The case of one person may be given, for we were pecuniary sufferers to the extent of £1000 by the ruin which he brought upon himself, and which we can *distinctly* trace to the public-house and the habits it induced.

H. R., when we first knew him, nearly 30 years ago, was a young man of genial temper, of great kindness, and of considerable talent. His brother was one of the most distinguished

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\* The *Daily News*, in a leader on Drunkenness, and with no favorable glance towards prohibition, recently gave the following testimony concerning ‘Life as it is,’ showing the real fruits of that System which it proposes to knock down with bat and ball ! Cricket, no doubt, is a very good thing in its way, and in daylight but as a remedy for the drunkenness and crime hourly and everywhere bubbling up from this Traffic—bah ! “ We have in our eye one small country town, ” where there are Schools and Clergy, a Mechanics’ Institute, and a Temperance society, but where, in seven years, there have died of drinking, *five inn or public-house keepers, five or six shopkeepers or master workmen, and artisans and laborers in proportion.* In this place, there is no suitable ground for cricket. Some read, “ pent in a close and dark room—and the rest drink—for there is nothing else for them to do ! Such broad hints abound all over the country.”

artists of the county. At his father's death, H. R. inherited a respectable business and a competency. His mother also was handsomely provided for, and the children of the artist—*who had himself died of drink before this event*—were also pensioned. The father's business was carried on by the son for some years, and money made. He had married, and the result of that marriage was an only daughter. We knew the mother well. She was pretty, sensible, and kind. Being neighbors, we occasionally visited. This, we believe, was the happiest part of H. R.'s life. Sometimes he would invite us to a quiet game of chess or draughts; or to a friendly cup of tea, where we would discuss muffin and metaphysics. As years passed away, a change was visible. We seldom found him *at home*; and learned that he spent his evenings mostly at the 'respectable' Tavern. The sweet little daughter was growing up, no doubt her mother's consolation; but withal we noted in the parent an indescribable change; as though a shadow had settled upon her soul, and the lights of the domestic banque had been put out. The secret escaped—little by little—'twas drink, and dissipation, and the vice that 'petrifies the feeling.' In the meantime, he had relinquished his trade, and become an Agent for transacting business by Commission. It was in this way that a vessel laden with cargo, for our interest, came to be consigned to him. Well do we recollect the last time we saw him—at his own house in the suburbs of the town; and at a handsome dinner party. He had grown 'gross' in person: almost every trace of the earnestness and spirituality of other days had disappeared; though he still displayed his old talent for discourse; being a well-read man and a showy talker. The forms of that gentle woman and of the graceful daughter are now before us; though we never saw them more. We were called away from the vicinity for awhile; and in the interval rapid changes occurred; the real truth and full particulars only coming to our knowledge some years afterwards. Drink and its associations had eaten out honor, and destroyed even natural affection in this man. He settled in London; pursued his old habits; misapplied to an enormous amount the bonds, money, and scrip entrusted to him; and was declared insolvent—paying scarcely a penny in the pound! On a visit to his native town, he had borrowed money of his surviving parent—but even this was not enough. He surreptitiously obtained possession of Deeds and Securities—probably with the view of raising money upon them, or *extorting* money from the aged widow—and was arrested at the station, when about to start for America. Shortly afterwards, however, he sailed from Liverpool and reached New York—only to pursue his old course, in that city, of temptation and sin. After awhile, he reached California, where the end came, speedily and sadly. Remorse set in, followed by the despair of a drained and enervated system. His wife, left behind, died of a broken heart, and his mother followed. His

daughter, well educated, through the aid of friends, became a governess, and ultimately married and went abroad. Who can declare the sufferings of that wretched prodigal ? Phantoms of that wronged and aged mother—of that forsaken, broken-hearted wife,—would gather round his bed ! visions of that worse than orphaned child, abandoned to the cruel charities of the world, would come to reproach him in his guilt ! His only comfort now—the deceitful glass ! In an access of *delirium*, may we hope ?—the unhappy man severed the artery of life. How many, like this, has the Traffic tempted and ruined ?

§ 95. An antagonist of the Maine Law has said—“ It is never doubted that the *greatest earthly curse* is the Sin of Intemperance.”\* Yet it has been nevertheless recently urged, by the Berkeley Press gang, that drunkenness is so rare now, that it is not worth while sacrificing the convenience of getting ‘a glass’ between 11 and 12 o’clock at night to get rid of it—and that only 1 in 32,000 of our population gets drunk !!! Now in opposition to the statements that the evils of the Traffic have greatly abated, and that the intemperance of the masses *frequenting* these houses has materially diminished, we affirm that there is no legitimate authority for the assertions, and that they are palpably contradicted by Facts.

The Police returns, as the Report of the Parliamentary Committee admits, are no guide whatever as to the real extent of drunkenness.† (§ 61, p. 96.) In many towns, as in Manchester, the police have instructions not to take up drunkards. The Report says—“ However drunk and incapable they may have been, they do not appear upon the return. If every *disorderly person* found at night were brought before the Magistrate next morning, the police would have very little rest”—(p. xiii). In very few places are ‘extremely respectable people’ taken up at all. Mr Councillor SMITH and Mr Alderman BROWN, when recognized, are politely assisted to a cab, or gently helped home ; how can the Policeman be rude to his masters ? Nor are the assaults reckoned, nine-tenths of which are also cases of drinking. Nevertheless, Messrs DANSON and WIRE handed in to the Parliamentary Committee (see Report p. 654) statistics as to the amount of drunkenness in various towns (some of these we give), calculated from the very imperfect *Police Returns*, which are very striking. It is certain that two millions of persons are constantly suffering from the conduct of *police* drunkenness alone ; not to speak of private drinking, which is four times as great.

\* *Birmingham Journal*, March 3, 1855.

+ In most English towns the cases of *assault* appear as such in the Police books ; when, under a proper system, they should be entered as *assaults while under the influence of drink*.

	DRUNKEN CASES BROUGHT UP.	PROPORTION TO POPULATION.
<b>ENGLAND.</b>		
Liverpool .....	18,522	1 in 29
Birmingham .....	867	1 in 268
Sheffield.....	1,312	1 in 103
Wolverhampton .....	770	1 in 155
<b>SCOTLAND.</b>		
Glasgow.....	14,870	1 in 22
Edinburgh.....	2,793	1 in 57
Dundee .....	2,931	1 in 26
Greenock .....	1,299	1 in 28
<b>IRELAND.</b>		
Dublin .....	18,758	1 in 14
Cork .....	8,158	1 in 10
Belfast .....	2,483	1 in 38

No doubt, however, there is less drink consumed, in proportion to the population, than there was twenty-five years ago; no doubt the number of *hours* to which the people are exposed to the temptations of the Traffic is less; no doubt recreations, excursions, and books, draw away *for the time* numbers from the drinking-houses, and in these various ways check the *tendency to increased intemperance* (no thanks to the Traffic!)—but the great fallacy of the opponent consists in forgetting that *some millions* of our people have given up intoxicating drink altogether, and thus escaped from the *meshes* of the snare and the sphere of its influence. They are, virtually, an *imperium in imperio*. This species of ‘counteraction,’ however, cannot be expected to be *permanent*, as most certainly it will never become universal, while the Traffic is licensed to counteract *its* influence—(practical temptation *versus* theoretical duty); it is an enthusiasm of Benevolence, that, in the nature of things, must diminish with the removal of the extreme evils which excite it; leaving (unless the Palladium of Law be planted on the soil) the hereditary evil to spring up again, in another generation, as rampant and *resinous* as before. *But why should Society thus evermore be imitating the task of Sisyphus?* Why, with straining muscle and vast expenditure, urge up the Rock of Offence, *towards* the inland verge of the Cliff, to come down again by natural gravity when our efforts are relaxed? Why not finish the work, by lifting the Stone to the *very summit*, whence it may be toppled down on the other side into the ocean of oblivion?

The *Times* objects to the Alliance that England is sensibly progressing towards a better state—that drunkenness has abated. The question, however, may be fairly asked, Why should *we* *any* more be *content* with the three-fourths, or one-half, of the admitted drunkenness which is left, than with the one-half, or one-fourth, that is gone? No doubt, knowledge and temperance have led to the lessening of dirt, and of many *unsanitary* condi-

tions ; but is that any reason why we should be content with the vast amount of *preventible* causes of disease yet extant ? Are not the wives and children of the drinkers that *are*, just as much entitled to protection as those of the drunkards that *were* ? The objection of the *Times*, therefore, is neither common sense nor humanity ; and is just as good (or bad) against sanitary law, and laws against theft or gambling, as against the necessity or policy of prohibition. Competent witnesses, after all, doubt whether intemperance amongst 'the People,' whatever it may be affirmed to be in 'select circles,' is materially diminished. Mr D. W. HARVEY, Commissioner of Police, says :—“*I think there is very little declension (during the last twenty years) in the NUMBERS who are the WORSE FOR LIQUOR* ; but a considerable decrease in *those who are actually drunk*. Right-down drunkenness, in its *unconscious* sense, is not *so common*.”\* *Unconscious*—that is, we presume, dead drunkenness—is not *so common*, for the Publicans are *shy* of permitting it, out of motives of policy. But what then ? This *sort* of drunkenness is the most innocent of all, socially and domestically regarded : while, on the other hand, the first state is *the most dangerous of all*. He goes on :—“*We have no decrease in the number of persons who are brought to our stations to be taken care of for an hour or two—to recover themselves*. But of those who are drunk and disorderly, and *their disorder arises from their being very drunk, the number decreases.*” Very good : but now comes a question. From which of the three stages of drunkenness—*drunk, VERY DRUNK, or DEAD DRUNK*—does the most *crime* proceed ? On the next page we find the Commissioner referring to *irregular* characters (who, nevertheless, are not certainly *sober* as a class), in the following polite terms :—“*Hardly any persons conduct themselves better than gentlemen who trade on the capital of others; they are very discreet and reflective.*” Of course they are ; for *very drunk* men would be *very bad* thieves. So, again, *very drunk* prostitutes would be *very bad* seducers of youth : but yet no fact is more certain than this, for they declare it themselves, that “*they could not carry on without drink.*” Yes ! it is the Traffic that sustains them in their horrid calling—it is the Traffic that is the fountain and ‘refresher’ of this most dreadful and polluting vice of our nation—a vice which spreads frightful disease amongst even the innocent, transmitting its taint and curse to generations yet unborn—a vice so utterly horrible as to rival even the deformed parent from which it springs ! Referring to thirty-three licensed houses in the City of London, that encourage prostitutes, exclusive of eighteen others ‘badly

\* *1st Report on Public-houses* (p. 543). We do not know the difference between *actual* and not *actual* drunkenness. All drunkenness is drunkenness, whether *half-sea over*, or right across to Calais. Drunkenness that is drunkenness, and yet not *actual* drunkenness, must be drunkenness in its ‘*unconscious* sense,’ which is commonly called nonsense.

conducted,' a total of fifty-one out of 626, the Commissioner says:—“The number of prostitutes brought to the police station “for disorder is very greatly on the decline.” Does that prove that undisorderly prostitution is on the decline? Again, as to the dangerous classes connected with this drinking system:—“When the publicans are compelled to close their houses on “Saturday night, many of their customers, well known to the “police, resort to the Coffee-houses, and are there received.” In plain English, they are *primed* at the Public-house up to the point of crime, and go to the sober-house to concoct the *plan*.<sup>1</sup> The *Times* asks if it is worth while for the Public to legislate on this evil; the Commissioner admits that it is so great as to make it worth while for the Publican to legislate! “Now, they have “trouble with their (own) customers after a certain hour of the “night, and would be glad of an excuse or pretext of law to close “their houses?—I think so.”

§ 96. DRINKING is obviously not a *fixed quantity*. A public-house, or a beershop, planted in a neighborhood, attracts its customers. They drink, and the drink creates the Appetite; which increases the *demand*. In short, Drink-houses and Appetite act and re-act on each other. This is well known; and accounts for the excessive eagerness of persons to set up these houses, and for the number of applicants for licence at the Brewster Sessions. The *Times* says—“Except under the absolute *lutism* of a Maine Liquor Law, it is pretty certain that a man “who chooses to get drunk will do so—on Monday if not on “Sunday; in an unlicensed house, if not in a licensed house.”\* Now, we submit that this statement, though perfectly true, is an evasion of the proper issue. A man who has got an over-mastering appetite, *will choose* to get drink somehow, if there be anyhow possible. But these characters are a very small number of the class exposed to drinking temptations, and even they, after the *weaning* is over, and the first fury of the appetite broken, *will not choose* to take much trouble to throw themselves in the *way* of temptation. The question does not concern the few men who “choose to get drunk”—who are *resolved* to get drunk to begin with—but the many men who do not ‘choose’ to get drunk—the many who even go into these houses *resolved not* to get drunk—but who *do* get drunk after all. “In many parts of the country,” says an Irish writer, 25 years ago, “it is not uncommon to see our unfortunate people going before a clergyman, or a magistrate, ‘to swear against the whisky,’ or ‘To swear that they will not enter a public-house.’ Can anything more fully show the *feeling of the temptations to which they are*

\* *Times*, July 30, 1855. Before the Beerhouses were set up, was there not a facility of getting drunk so great that every man who chose to get drunk could do so? But will the *Times* deny that the increase of those houses induced many to drink afterwards who did not drink before? or to drink more, where they before drank less?

*exposed !*\* Mr F. HILL, Inspector of Prisons, says, in his Twelfth Report, that he received the following replies to questions put :—“ If I had to go a mile for it (drink), I should often go without it.”—“ If there were no Public-houses, there would be less crime. I wish there was none.”—“ It would be better not to license houses to sell drink, than to put people in prison for getting drunk.”—“ Thinks it would be the happiest thing ever was known if *all* the Public-houses were shut up.” Will the *Times* listen to the prayer of the tempted and the oppressed ? The *Times* aims beside the mark, instead of at it : it creates a ‘diversion’ instead of solving a difficulty. Now, in the evidence of the Rev. JOHN CLAY, the Chaplain to the House of Correction at Preston, we have an abundant evidence of this fallacy, as well as proof of the great extent to which intemperance yet prevails amongst our operative population :—“ I have not come into contact with persons who advocate the existence of ale-houses, or who speak of them as a *necessary* thing for the public ; I do come in contact *every day* with our chief manufacturers and others, who complain *extremely* of the *mischief* caused by them. The more intelligent classes are finding out that liquor is not merely unnecessary, but injurious ; but the *lower classes*, the very ignorant, *seem to be more prone to drunkenness*. It appears to me that drunkenness is more concentrated in that class of the population. Those better classes never indulge *so as to make themselves amenable to law* ; but the *laboring classes cannot get drunk without committing some outrage*. The *absolute* increase of drunkenness, as evinced by committals to the gaols, has been *very great since the Beer Act has been in operation*. The habits of the people have *not improved*. All the more serious cases of crime have decreased, but *disorder, and a general spirit of disorder, has increased very much*. I am quite sure that almost all the laboring classes, when they are sober, would *wish* the houses closed the whole of Sunday. The *wives* of these men would be more glad than any other portion of the community.”† (See § 64.) Rev. F. BISHOP, Liverpool :—“ Is there less drunkenness than there used to be ? There is certainly less ; but *there is still a great deal of gross drunkenness*. It prevails, indeed, to such an extent as would scarcely be believed by persons who are not in the habit of going *amongst all classes* of people. Does the drunkenness arise from spirits or beer ? The majority get drunk on *beer*. Nineteen-twentieths of the *men* get drunk on beer ; the *women* who abandon themselves to intemperance, more commonly drink spirits.”‡ Take, again, the evidence of a Shropshire

\* An *Inquiry*, etc. Dublin, 1830.

† Parliamentary *R-port.* pp. 362—376.

‡ *Ibid.* p. 229. In Liverpool, in 1855-6, according to the Report of the Chief Constable, Mr GREGG, just published, there were 4,200 *females* cases of drunk and disorderly—of whom *one-half* were under 21 years, and 654 under 18 years of age !

Magistrate, T. W. W. BROWNE, Esq. : "I have been a county magistrate for the last 30 years. Do you say that drunkenness has increased since 1830? *It has increased fearfully.*"\* The Report itself contains a summary of facts, which we will cite in part. "There are no doubt many publicans and beershop keepers who exercise the utmost vigilance to prevent drunkenness on their premises, *but the temptation is strong to encourage intemperance, and a vast number of the houses for the sale of intoxicating drinks lie upon drunkards and the sure progress of multitudes to drunkenness*, whilst numbers of them are the habitual haunts of the idle and abandoned, of thieves, *prostitutes*, and the adepts and learners of crime...A witness states that 'he lately visited, in the evening, the whole of the public-houses in the New Cut, numbering about 16. They were *all full of people drinking*: in one house he counted 50. At another the police were obliged to stand with their staves to prevent the people from pushing the doors in, as the Publican inside and his servants *drove them out* to prevent them getting more drink, and to enable the house to be closed at the time prescribed.' Another witness states that 'in a single street in Manchester (Deansgate), there are, besides beershops and public-houses, 28 spirit vaults; and that *every Saturday* there are to be found, at any hour throughout the day, an average of 550 persons drinking in those houses *at the same time*. One house alone averages 1,500 visitors in the day.' Another witness gives, as the result of an enquiry extending over 1,456 spirit vaults, beerhouses, and public-houses in the same city, 'that they had on a single *Sunday*, 212,243 visits; and that 22,232 of the calls were by children, some of whom went to drink on their own account, some to fetch drink, and some were bad characters.'"—Canon STOWELL, of Salford, says:—"I had an examination made in my own parish; and, so far as I can ascertain, *you could not find two cottages out of three, taking the average of them all, without a member of the family addicted to drunkenness*. And you never find a family where there is a drunkard—whether it be the mother, worse than all! or the father, or a son, or a daughter—but that family is blasted." Mr PETER FAIRBAIRN, the Leeds Machinist, says of his own workmen, on pay-day, "Out of 100 men, *all* of whom will probably have taken their *quart* of Porter or Ale, above *a third* will go home in a state of drunkenness—drunkenness to the extent of imbecility." When political writers lament the want of sympathy between the higher and poorer classes of this country, they should recollect that sympathy between comparative refinement and sottishness is as *impossible* as between a rich drinking class and a lower. The bond of sympathy between the various classes can only be re-knit by the destruction of that which *hinders*, by the artizan classes becoming more self-respecting—

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\* *Ibid.* p. 84.

and this is only possible through the prohibition of the temptations before which they fall into poverty and degradation.

In other works already before the public, there is abundant proof, which we will not here reproduce, illustrative of the *magnitude* and *enormity* of the Traffic as a source of Intemperance : we have preferred to rely chiefly upon the latest, and least accessible evidence. In our judgment, the course pursued by a portion of the conductors of the public press is most wicked in attempting to gloss over the true character and extent of the Social Cancer which is eating away the strength and vitality of the nation.

§ 97. Mark, next, the *Poverty* (individual and national) which follows drunkenness with clear and necessary sequence. In our historical sections we have already furnished ample proof that it moves *pari passu* with the Traffic ; enlarging or lessening with the encouragement or discouragement we mete out to that.\* On so plain a question, it is not necessary that we should very closely distinguish between the Poverty of the Individual and that of the Nation, since the former is simply a deduction from the wealth of the latter : the main point is, the proportion of the evil flowing from Drunkenness and the Traffic. We say "and" emphatically, because every penny spent at the public-house for drink is a national as well as domestic loss—an expenditure in a selfish, momentary gratification, that in no way contributes to *reproduce wealth* or to *spread happiness*, but the reverse ; and because the Traffic is the actual feeder of drunkenness, and the great temptation to drinking. Moreover, as regards the monetary tax, it matters little whether the burden of the poor,—of the drunkard in his worn out state, of his family, or of his orphans and widow,—is cast upon us in the shape of 'Charity' or of 'Pauperism.' Under this head, also, may be introduced illustrations of the loss produced by Accidents from drinking—not simply the loss of wealth or commodities burnt, or submerged, or spoilt, but the permanent loss sustained by the support of the children and wives of the drunkards, and of the sufferers, being transferred to the community.

§ 98. First, we will select an illustration from *IRELAND*, which has been a *Poor Nation* from want of capital, and has wanted capital chiefly because the people have preferred *swallowing* it to saving it—being tempted thereto by our own government, which has always manifested a far greater interest to finger their 'money' than to foster their 'morals.' The Tippler was perfectly correct who exclaimed, ere emptying his second

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\* The preposterous theory of some politicians, that *Poverty* is the great cause of *Crime*, is sufficiently refuted by historical and statistical facts adduced in other parts of this essay: it is, in truth, the Tenterden Steeple and G. dwin Sandalagio, which confounds *coincidence* with *causation*. No doubt *Crime* and *Poverty* do often go together, but the reason is—that *drinking* is the cause of both.

glass, "Here goes a peck of meal and a stone of the murphies!" **ADAM SMITH** might talk more learnedly, but, after all, *that is* the secret of Ireland's miseries, and of our own. The poor *swallow their Independence* in swallowing their capital, and along with that, they swallow those moral attributes and social influences whereby alone they can ever rise to Political Power, and so cease to be 'the *lower classes*.' Liquor is the great leveller! Revert, for instance, to that grand fact already given—(§ 71)—which, on a comparison of ordinary years with those when distillation was only *partially stopt*, shows an *increase of one-third* in the Imports in favor of Famine and Prohibition over Plenty and Licence! Or these other singular facts, yet exactly what we should expect *a priori*.

In 1757-8, 1760-1, the average annual Balance of Loss between the Corn Imported and Exported was £78,282. But in the year 1759, a year when the Distilleries were stilled, there was a Balance of Profit of £4,584.\* All that, we take it, meant so much comfort for the poor, as well as prosperity for trade.† "The salutary effects of which," says a contemporary observer, referring to the arrest of distillation, "were the restoring new vigor to our languishing manufactures, and a visible reformation in the morals of the people."

The next illustration has reference to the state of the country in 1808-9, 1812-13, when, for parts of those years, distillation was again prohibited of oats, the grain mainly used by the distillers, the total quantity exported in 1808-11-12-15 is given from the averages of the Customs returns,‡ and the quantity of corn spirits *paying duty* is added:—

OATS IN BARRELS.	VALUE.	SPIRITS, IN GALLONS.	
4,299,567	£4,080,806	9,647,091	<i>Years of Famine and Prohibition.</i>
3,033,831	2,267,225	22,419,197	<i>Years of Plenty and Distillation.</i>
1,265,736	£1,813,591		<i>Gain in four Years.</i>

Thus, even in years of dearth, the prohibition of distilling in Ireland increased the oats exported to the value of nearly *two millions of pounds*; so that, making allowance for the parts of years during which the distilleries were in operation, the **CAPITAL** of the country was increased by half a million annually, with a positive gain in all social and moral aspects besides.

\* *Tour in Ireland*: by **ARTHUR YOUNG**, ii. p. 122. The Imports that year were £27,058, the Exports, £31,648.—It should be stated, in reference to the next Table, that there was no increased Export of wheat or meal; showing that the corn exported, was corn *saved from the Distilleries*.

† *Earnest Addresses to the People against drinking Spirituous Liquors*: by **W. HENRY, D.D., F.R.S.** Dublin, 1761.

‡ *Vide Parliamentary Papers*, vii. 1823.

In like manner, the great, however temporary revolution created in Ireland by the good Father MATHEW, supplies us with an illustration which answers a double purpose, showing what Drinkers lose by what Abstainers gain. "A great improvement," says the *Weekly Herald*, reporting a meeting of the Dublin Board of Trade, "has taken place in *different branches of business*. There has been a great revival in the Irish Cloth Trade, and the demand for it, and other Irish manufactures, is so great, that it is proposed to hold a *weekly wholesale market* for the convenience of dealers in these goods. Very large Hat manufactories are all brisk. As an instance of the good that Teetotalism has done to *Shopkeepers*, it was stated by the Chairman that a draper in Francis Street had increased his sales *sixteen times*. Mr SHERIDAN, the builder, had received orders to erect a large Paper Mill; and had got many orders to build flour and oatmeal mills."

§ 99. SCOTLAND is the most educated, and religiously instructed portion of the Empire, and her people are, naturally, the thriftest. What is the state of things there? What the operation of the Traffic on this prepared and prudent soil? Mr JAMES GRAY, Chairman of the Edinburgh Parochial Board, says:

"As a manager of the Edinburgh Charity Workhouse previous to the passing of the Poor Law Amendment Act, I have had ample opportunity of knowing the extent, as well as the prevailing cause, of the pauperism. The expenditure of the City Parochial Board for 1849, was £27,040. The number of enrolled paupers, 2,700; but, in addition, there are about 750 who receive occasional relief. Of these, *at least two-thirds are brought to poverty by their own intemperance*. It is more difficult to ascertain who are reduced to that condition by the drunkenness of relatives; but I know that upwards of 100 orphans are now provided for by the parish, whose parents brought themselves to a premature grave by dissipation; and a *still greater number of children* have been removed from the custody and *poisonous influence of their parents* to the country, where they are provided for, and educated, by the Board. There are *numerous instances of parents in the decline of life*, reduced to poverty through the profligacy of drunken children. I have no doubt, that a poor-rate of 4½d. instead of 12½d. would be amply sufficient for the relief of the sober and industrious poor."†

The same gentleman said, at a meeting of the Town Council, October 23, 1849:—"There are *thirty-four parishes in Scotland, without a public-house*, and the effect upon the Parishioners is, "that they have not a penny of poor's rates in one of them. "Before I came to Edinburgh, I lived eight years in a parish "where there was no public-house, and *during all that period I never saw a person the worse for drink*. There were no poor's "rates in the parish then; but now, there are five public-houses, "and a poor's rate of 1s. 8d. in the pound."‡ At a meeting of

\* *Report on Drunkenness. 1834.*

† *Vide Dr GUTHRIE'S Report on Drunkenness, p. 20.*

‡ NORTHWICK, in his *History of London*, published nearly a century back, in calling attention to the evils of Taverns, remarks:—"There are villages in remote country places, which can date the commencement of their poor-rate from the intro-

the Edinburgh Parochial Board, Nov. 2, 1849, Mr BLACKADDER (late Lord Provost) said :—“As to the causes of the Pauperism, “first among the grizzly throng, I would place drunkenness. I “verily believe that, out of 2,700 paupers, 2,000 were made so “by drink: so that we are, in fact, not so much supporting the “poor, as we are supporting the public-houses.”

Mr JOHN GRAHAM, the Governor of the House of Refuge, says :—

“There are three classes of inmates in the institution. The first, parish paupers, may amount to 19, one-third of whom are children under fourteen years, and are either orphans or deserted by their parents; the other two thirds are aged and infirm persons. I have no doubt many of these were addicted to drinking habits. The second class are persons admitted on their own application. At the present time their number does not exceed 110. Forty of these have been brought to their present position by indulgence and intemperate habits. Of the other portion, I would say, that neglected youth, delicate health, indolence, and a slight shade of mental imbecility, are the real causes which have brought them here.\* The third class consists of persons boarded by their friends, with a view to moral restraint. The number is between 90 and 100; and of these 70 or 75 are for inveterate drunkenness. Drunkenness is a sad, melancholy disease, and difficult of cure.”

The INSPECTOR of St Cuthbert's Parish, Edinburgh, says :—“Out of the £21,000 expended in this parish on the relief of the poor, in 1849, fully £12,000 of that sum could be traced to intemperance.” The INSPECTOR of the city parish says of the 2,901 on the Poor's roll, “2,321, or 80 per cent, are understood to be so from habits of intemperance in themselves or relatives.

*duction of a public house; the rulers of the land complain of the licentiousness of the populace to little purpose, while other views cause them to tempt the people from sobriety.”*

JONAS HANWAY, in his work entitled *The Defects of Police the Cause of Immorality*, published in 1775, mentions “A certain parish in the north of England, where no public-house was licensed, and where there was no poor's rates nor occasion for any such relief. At length, three licences were granted, and what was the consequence? Within thirty months the poor's rate amounted to eighteen pence in the pound. Upon this the justices withdrew the licences, and the economy of the people reverted to its former channel, as no rate was necessary.”

Mr T. C. DOOD, the artist, of Tunbridge Wells, says :—“The snug parish of Crowhurst, close to the South Eastern Railway, with a population of 400, has neither innkeeper nor beerseller within its limits. Being at the house of one of the inhabitants—a landowner, and a guardian of the poor—I asked, ‘How many paupers have you upon an average wholly chargeable to the rates?’ The reply was, ‘About one, but frequently none at all; at the present time we have two—one of them aged and afflicted.’ How long would such a state of things continue to exist, if the parish were adorned with the village inn, or its precursor—a beershop?”

“It may not be out of place to state here, for the edification of our ratepayers, that in the two neighboring parishes—viz. *Merton* on the one hand, and *Leytonwood* on the other, not a penny of poor-rates is required; and why? The reason is quite obvious—not a whisky shop is in either parish; whilst *Carlton*, with eight such houses, has in round numbers £450 to pay annually in supporting a class, three-fourths of whom have directly or indirectly been pauperized through the liquor traffic”—*Border Advertiser*, July, 1856.

\* But what was the real cause that brought on ‘neglected youth, delicate health, and imbecility’? We are still within the charmed circle of this accursed *Comus*.

Average (annual cost) of four years, ending 30th September, 1850, £26,679; of which £21,344 is traceable to intemperance!" Dr BEGG adds, "The whisky shops flourish with renewed energy on the pay days of the Parochial Board. To say that *money* will stop the progress of poverty under the present system, is as foolish as to maintain that water poured into a 'bag with holes' will fill it."\* We add a few brief extracts from the Inspectors of other districts to show that there is but one opinion possible in view of the facts:—

GREENOCK: "Number of poor for 1849 was 1,146. *One-half* may be traced, directly or indirectly, to intemperance."

CRLEFF: "If the effects of 'sprees' and moderate drinking be taken into account, *seven-tenths* of our pauperism is caused by drinking. A man in good circumstances last year became *insane* through drinking; 20 men, with one or two exceptions in good circumstances, were all cut off in the prime of life by intemperance, two dying in one day;—as many were fast progressing to the same end."

FORFAR:—"Forty-two of the paupers have been of intemperate habits. About 58 widows and orphans have been left on the Poor's Fund by intemperate husbands and fathers. In consequence of early drunkenness, *the constitutions of many men are nearly worn out by the time they are forty years of age*, and when seized with distress they require immediate relief from the Poor's funds; and when any *epidemic* prevails, fathers speedily fall victims, often leaving numerous and unhealthy children a heavy burden upon the public."

PERTH:—"Of the 769 paupers, about *one-half* of intemperate habits. The proportion of Widows and Orphans left by intemperate husbands and fathers will be about *three-eighths*."

DUNFERMLINE:—"Of the £3,900 expended on the Poor annually, about £1,100 may be traced to drunkenness."

HADDINGTON:—"Were it not for intemperance, the Poor-rates would soon be reduced to *half* the present amount."

LARGS:—"One third is rather *below* the mark."<sup>2</sup>

OLD DEER:—"One-half have been of intemperate habits; but now want of money may be a check. Of the Widows and Orphans, *two-thirds* may be said to be from the effects of intemperance. The working class of this parish live in a state of intemperance to the extent of *five-eighths*."

GLASGOW (City Parish):—"I consider every Public-house a moral nuisance—a hot-bed of disease, crime, and destitution." (Govan Parish):—"Drunkenness has to answer for *three-fourths* of the Pauperism of both sides of the Clyde."

Mr D. MACLURE, of the Parochial Board:—"A spirit dealer in High Street informs me that he draws *ten pounds more on the pay days of the Glasgow poor than on any other day of the week*."

THOMAS CHALMERS, D.D., Author of 'Civic Economy,'—  
"The Public-house is *most deleterious*, and by far the *most abundant* source of Pauperism."

§ 100. Is ENGLAND any better, in regard to Pauperism, than the Northern part of the Island? Not one jot, as the following facts and testimonies will establish:—

On the 1st of January, 1855, the number of Paupers actually relieved was 850,453. Now, as to the chief cause of this, we have already recorded the deliberate judgment of a Parliamentary Committee (§ 6); and need only add some recent testimonies to show that things are, in this respect, little better than they were in 1834—if, indeed, the *proportion* of Paupers who are so from drunkenness, is not rather increased than diminished.”\*

Mr GILBERT A'BECKETT, in a letter to the *Times*, of the date of January 8, 1855, says:—“It has been alleged, on high judicial authority, that nine-tenths of the crime of the country is caused by intemperance; and enquiry would, I think, show that *a vast proportion* of the *Poverty of the country* has the same origin.”

Mr MOTT, Contractor for the management of the Poor in Lambeth and other parishes, after examining into the history of 300 cases as they came before him, says—“I found, in nine cases out of ten, the main cause was the ungovernable inclination for fermented liquors.”

Mr EDWIN CHADWICK, the Poor Law Commissioner, says:—“My enquiries have extended throughout the Metropolis, through a considerable proportion of the counties of Berks, Sussex, Hertford, Kent, and Surrey. All the witnesses of considerable practical experience, when questioned as to the causes of pauperism, stated to me that the ungovernable inclination for fermented liquors, was one *very considerable contributory cause*.”

The Rev. G. HOLT, Chaplain to the Birmingham Workhouse, says:—“From my own actual experience, I am fully convinced of the accuracy of a statement made by the late governor, that of every hundred persons admitted into the Birmingham workhouse, *ninety-nine* were reduced to this state of humiliation and

\* Mr HAWLEY, of Birmingham, informs us that in visiting the Paupers there, as one of the Guardians, he found *no less than nine of his old shopmates*, who had found their way to the workhouse through the public-house. The recent returns are as follow:—

	Receiving Poor Relief	Of whom were Able-bodied
Year ending January 1st, 1856 ..	877,767 ..	152,174 ..
Year ending      "      1855 ..	850,453 ..	144,500 ..
Increase ..	27,314 ..	7,674 ..
The pecuniary assessments for the year ending January 1st, 1856, were 8 per cent higher than the previous year, viz:		
Spent in Poor Relief .. £5,890,041 ..	Per Head... 6s. 3d.	
Spent in Management .. £1,974,108 ..	Per Head... 2s. 1d.	
Total levied .. £7,864,149 ..	Per Head... 8s. 4d.	

dependence, either directly or indirectly, through the prevalent and ruinous drinking usages of our country."

MR MILLAR, Assistant Overseer of St Sepulchre's parish, London, says:—"By far the greater proportion of our new paupers are persons brought upon the parish by habits of intemperance. After relief has been received at our board, a great proportion of them proceed with the money to the *palaces or gin-shops which abound in the neighborhood.*"

The BOARD OF GUARDIANS of the City of Bath, recently report—"By the facilities afforded by the beerhouses for acquiring and confirming habits of intemperance, young men have been made vicious and reckless; fathers of families have become indifferent to domestic ties, and too often prefer squandering their weekly earnings in bad company to maintaining their wives and children in decency; in many cases families have been deserted, and left wholly chargeable to the Poor Law Union; while, in all, the profligacy thus engendered and fostered, tends to make father, mother, and children, ultimately dependent for subsistence upon parochial relief."

MR ARCHIBALD PRENTICE, the historian of the Anti-Corn Law League, says:—"Three fourths of the Pauperism that falls so heavily upon us in Salford, is caused by drinking."

MR PETER FAIRBAIRN, the eminent Machinist, in his evidence before the Poor Law Commissioners, says:—

"I emp'oy between 500 and 600 men. According to my own observation, fully *ten per cent* of the men have their wives and children in attendance at the public-house. The poor women may have children they cannot leave at home, and these they bring with them. The *wives* are thus led to drink, and they and their children are made partakers at these scenes of drunkenness and riot. By the pressure of the wants created by habits of drinking, there is soon no means to purchase clean or respectable clothes, and lastly, no desire. The man, instead of cleaning himself, and appearing at church on Sunday, remains at home in filth, and in a filthy hovel. On the occurrence of the *disease* to which such habits expose him, there is nothing but the most abject destitution. I have served the office of overseer in Leeds three years, and having attended the weekly board, I have seen the *end of this train of circumstances* in the applications for relief from parties who had previously been in the receipt of good and even high wages. I have observed the whole train of these consequences in several large works in London, as well as in this town."

§ 101. Some special results of habits of intemperance may be named under this division of our subject.

Take, for example, from the middle ranks, or from the higher class of artizans,—or even from professions,—the case of the death of a Father, through disease or accident, where the *family* is suddenly plunged into absolute penury;—or the case where the ineptiety of one of the parents has more gradually reduced the household to distress and want.\* The boys may rough it;

\* The *Memoirs of John Kitto*, D.D., lately published, furnish an affecting illustration of the neglect and poverty to which children are exposed through intemperate parents. His father had gradually descended from respectability, in

but what are the *girls* to do? They are, probably, unfit to perform any intellectual work, which certainly society has not been careful to provide. There is but *one* industrial resource open to them—that of sewing—and by necessity, therefore, they go to swell that crowd of miserable beings who minister to the thoughtlessness and vanity of fashionable life,—or who as the instruments of ‘cheap shops’ sustained by the selfishness of the mob, stitch at once a shirt and a shroud. These secondary victims of the Traffic, the *Sempstresses* and *Milliners’ Apprentices*, first by mutual competition for a daily crust, beat down their reward to the minimum which will hold soul and body together,—and secondly, when the crust *cannot* be lessened, their labor is strained and taxed to the utmost. Can we wonder that, within the charmed circle of such a Death-in-life, where hope is torpid within, and temptation potent without, that so many should fall?

*Mendicity* is another evil, flowing in great part from the Traffic, which in this case, as in that of Prostitution, acts and re-acts. It first creates the *necessity* which compels to beg, and then fosters the *spirit* of beggary which perpetuates the system.

No doubt there is a certain amount of mendicity of a transient character which cannot be traced directly to drinking. Sudden death will sometimes visit the sober husband, who has not had *time* to save; and his widow, after her goods are pawned, will beg rather than go to the workhouse. But it should be here recollected that the prevalence of professional or *chronic* mendicity is the great hindrance to effectual private relief in such cases, by the suspicion thrown over all beggary; and that the reluctance of honest persons to go to the workhouse is but the disgust to be numbered (even in thought) with the *majority* of its inmates—known to be the *Traffic’s Customers*. A commercial crisis, a master’s bankruptcy, or a strike, may come now and again, and cast numbers of operatives out of employment for a time. Save for the Traffic, however, these would seldom occur. Many of our *agricultural* poor, we concede, with large families, can not live on their wages without extraneous aid. With a Maine-law, however, we again assert, the wages of these men would inevitably rise. Allow, then, that of the mendicity of Britain, *one-fourth* has no direct connexion with the Traffic, what of the remainder? (1.) As to its extent: Observations made at thoroughfares leading into 13 towns, ranging from Nottingham to Dover, shows that in *one* autumn day 783 mendicants entered those towns.\*

consequence of drinking habits, until he finally lost social caste; and he who afterwards so distinguished himself as a Biblical Scholar had, while a poor, sickly boy, to get a miserable and precarious crust by grubbing among ashes for bits of iron—a Plymouth ‘mud-lark.’ Afterwards he suffered much in the workhouse, and still more subsequently from the tyranny of a brutal master. Under such training, how few rise to virtue and distinction—what multitudes are tempted to vice and crime!

\* See *Edinburgh Review*, July 1812. pp. 475-9.

In two-thirds of the cities and towns of Britain, while these vagrants were passing through, others in equal number were also subsisting on the almsgiving of others. Multiply this 783 by 2, then by 300 days of the year, and then by all the cities and towns of the empire; and how frightful will this social evil appear! (2.) As to the Revenue of these mendicants. It was found that the average receipts were 4s. 6d. *per day*, besides broken victuals and clothes. Often it was found that the head of the vagrant family stayed in the Public-house 'to enjoy himself' and be out of the way of the police, while his 4 or 5 children ranged the town in different directions. When the day happened to be 'a good one' the supper was enriched with an extra pint or two of beer! Begging, it would seem, is the next profitable 'profession' to thieving, since a begging family will, taking the average, extort £60 per annum from the public; and the petty thief £100, and the 'educated' from £150 to £300 a year. There is, then, in the very midst of us, various wandering tribes—not lessening but increasing—tribes engendered in the mud of the Traffic—who live the most profligate and intemperate of lives—having a language, manners, and customs of their own. This population consists of *Lurkers* (whose art consists in getting up 'briefs' to play the various *dodges* of the Fire-lurk, Sailor's-lurk, Foreigner's-lurk, Accident-lurk, Sick-lurk, Servant's-lurk, Collier's-lurk, etc.); of *High-fliers* (or letter-writers); of *Shallow-coves* (impostors who go in coveys or schools, and earn most money; including the Shallow-motts, or almost naked women); of *Cadgers* (of the 'downright' or from door to door, and 'on the fly'); etc., etc. This population has its signs and free-masonry, its halting-places and Public-houses, and succeeds in extracting, by cajolery, or deception, not less annually than £1,500,000 out of the pockets of the public. They must 'pick up' a good deal of property, and prepare a great number of young persons for stepping over this border-line of beggary into the adjacent territory of crime. Necessity here, again, presses for some efficient remedy that will strike at the source.

While the temptations of the Traffic continue, our working-classes will be *kept poor*, since their earnings are dissipated to a frightful extent at the Public-house. Rarely is anything put by for 'a rainy day'; and when a contribution is put into a club, the meetings being held at a Tavern, generally double the amount saved is squandered in the process of doing it! It is the public-house that keeps the poor man down.

The Rev. JOHN CLAY supplies some valuable statistics in the Appendix to the 'Report of the Select Committee on Public-houses,' 1853. Excluding the higher classes, youths, and teetotalers from the calculation, Mr CLAY finds there is in *Preston* one Alehouse to 28 working men and tradesmen; and in *Blackburn* one to every 25. This means, in plain English, that to

injure their own health, degrade their own character, and pave the way to the poorhouse and the gaol,—*26 of the Industrious Classes club together to support a Public-house!* He observes—“The expenditure in them must constitute a heavy, though *self-inflicted tax*, weighing very injuriously on the social and domestic condition of those who subject themselves to it.” (p. 632.) Another most interesting document, showing the fundamental bearings of the Traffic on this question of pauperism,—and what it is that most of all *keeps down the working man*—is given on a preceding page (629). It is an account of “*The Weekly Expenditure in drink*—for the greatest number, from the Individuals themselves—of the Whole of 131 Artizans and Laborers employed by the same Master.” It shows, first, that those who earn *least wages*, are the *most temperate*. 12 are teetotalers; and only 12 (chiefly the same) attendants at church. Second, that the gross weekly earnings amount to £154. 16s. 0d.: the sum spent in Liquor by the 119 (131 less 12), £34. 15s. 0d., or 22 per cent of their wages! This, spent for 30 weeks (or nine months of the year), would amount to £1,355, which divided amongst 119 drinkers, leaves £11. 7s. 9d. expended in the indulgence of the selfish propensity for liquor, and abstracted from the comforts of home and the profits of honest trade. Suppose the house in which they drink (so much better than their own!) with all its furniture and comforts, to be worth £570, then it is clear that, dividing these 120 men roughly into four groups of 25, each set will in two years have *spent what would buy the house in which they drink*. In still plainer words, they will have swallowed their own ‘Club-House,’ and bolted their own Freehold. Need we add another word on this head?\*

§ 102. As the Traffic tempts the people to drunkenness and a profligate expenditure of their means, so this gives rise to Poverty, and Poverty, in turn, breeds IGNORANCE. But the ignorance of the Drinking system is not simple ignorance—it has a density, a darkness, and a depravity peculiarly its own. Society has not to contend with a mere negation, in its Pauper and Ragged Schools: it has not simply to enlighten and instruct—it has to file off and burn out horrible excrescences and cancerous sores engendered of the Public-house. It is, if we may so express ourselves, Educated-Ignorance, vice-encrusted and stereotyped.

The Rev. Dr MCKERROW, in a speech at Edinburgh, as a deputation from the Alliance, remarks very aptly:—“I go for education, and as one of those who hold that we must educate not merely the intellect, but the *tastes and habits* of the people.

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\* In the *Scottish Temperance Register*, 1856, is republished a paper by Mr CLAY, read before the Statistical Section of the ‘British Association for the advancement of Science,’ September, 1843, showing that the laboring classes are *most criminal*, because *most intemperate*, in what are called ‘good times.’ So that the Traffic transforms Divine Blessings into positive curses.

The people *will* have amusements, and why should we not endeavor to have their amusements of a pure and rational character? *Why should we allow the Publican, or any man who panders to the lowest vices of the people, to get up their amusements?* It should be borne in mind, that the Publican is an educator as well as the Schoolmaster—that the beershop or the gin-shop is a place in which *instruction of a certain kind* is received, as well as in that grammar school near your Calton Hill. It is a lamentable fact that our high educational agencies are comparatively few and inoperative, while the public-house, the beer-house, and the whisky-shop, are confessedly *training, not merely teaching.*"

Even the *Morning Advertiser* is not blind to this truth. When writing against the Beershop (which, after all, *is* the Public-house of the poor man), it says:—"The beershop is, in fact, *his school*; and its games and frivolities form *the only system of Education he is likely to recognize.* If the destinies of the rising generation are left to the chances of such an education, what must be the result? If such be the Fathers, what will be the Children?"

§ 103. Who are the *pupils* of Ragged Schools? "Having," says Mr W. GRIMMOND, of the Edinburgh Industrial School, "looked carefully over my register, as well as painfully observed in my daily journals, I now give you the melancholy fact, that had it not been for habits of Intemperance, *no fewer than 85 per cent of the children* under my care might never have required either to beg for their bread or to attend Ragged Schools."—The FIELD LANE, London, Ragged School, in its 7th Annual Report, says:—"Satan has a glorious reign here. His great agent, Drunkenness, is spreading a curse around,—*but for this, your Committee's duties would well-nigh cease.*" The Report of the Ragged School in the Mews, Manchester Square, says:—"The great proportion of the *misery, vice, and ignorance*, with which they come in contact, is the direct result of intemperance."

Sir A. ALISON says of the records of the Glasgow House of Refuge:—"These highly curious annals of crime show, in the clearest manner, the fatal influence of the drinking of whisky upon the lowest classes of the people; for out of 234 boys who at present are in the institution, it appears from their own account that the drunkenness of their parents stood thus:—

Had drunken fathers .....	72
Drunken mothers.....	62
Both fathers and mothers drunken .....	69

So that upwards of two-thirds of the whole boys in the institution have been precipitated into crime, through the habits of intoxication of one or both of their parents. The boys all state that, till they were taken into the House of Refuge, they lived two-thirds of their time in the low public-houses in the centre of Glasgow, and that their enjoyments there, for they were all

under the age of puberty, were drinking, smoking, and swearing.”\*

The Liverpool papers have just recorded the following domestic tragedy. A police officer was called into a house, where he found a girl of eight years old *lying dead*, and a boy of four years in a *dying state*, both naked, their bones protruding through their skin, and their bodies covered with filth; a third child “cowering in a corner more like a dog than a human being.” And who were the authors of this misery? *Drunken parents.*

Mr CLAY, in his 30th and 31st Reports, gives the following from the mouths of young prisoners:—

**A CHILD BURGLAR UNDER NINE.**—“My mother is dead: My father often got drunk: he used to lick us with a rope: he used to bring women into the house—drinking—on Saturday nights. I have broken into two houses. I got in [on the last occasion] through the back door, about 12 at night. I went upstairs into the man’s bedroom, and took 13s. 6d from his pocket. I bought something to eat with the money. I slept out every night. I have four sisters and a brother; and I am the youngest but one.”

**ANOTHER BURGLAR, AGED 14.**—“Both my parents are living. I cannot read. My father seldom misses getting drunk once or twice a week.”

**ANOTHER BURGLAR, AGED 14.**—“I have a stepfather. He gets drunk sometimes. He sent me to school. He used to go to church, but has given over.”

The *Morning Star*, of July 4th, 1856, records the following afflicting case:—

“Dennis Collins was charged by Phillips, the porter at St Giles’s Workhouse, with being drunk and creating a disturbance. The prisoner was in the habit of presenting himself nightly for admission as a casual pauper, and leaving again next morning. He had several times been offered admission as an inmate, but had always declined, saying that ‘if he went into the house he should have to work, and he did not see why he should do that, when his children could keep him.’ It appeared that he sent them to beg about the streets, meeting them in the evening by appointment, and taking from them whatever money they had ‘earned,’ allowing only one penny each for themselves. *If they failed to bring him what he thought a sufficient sum, he beat them severely.* On Wednesday night he left the children at the door of the workhouse at about nine o’clock, desiring them to wait for him, but he did not return till half-past eleven. Phillips then refused him admission as *he was drunk*, but expressed his readiness to receive the children. One, a fine, healthy-looking little fellow, of about six years, but wretchedly ragged and dirty, repeated the statement as to the prisoner sending him to beg, and *beating him if he did not bring enough money.*”

The prisoner was sent to gaol for a month, at the country’s expense.

The *Edinburgh Review*, treating of the forlorn and neglected juvenile criminal who has been taught to regard crime as misfortune only, and punishment as bad-luck, puts in a claim for protection and sympathy:—“Has society no share in the condemnation and the guilt of this lost soul? Has the *Law*—so prompt in punishing the child, but which leaves unchallenged the drunken,

\* *Principles of Population*; ii. p. 597.—1840.

vicious, cruel parent, by whom the child was forced into the gulf of crime—nothing to answer for? Are not the authorities who have contentedly *allowed* such haunts of infamy as he was bred in, to continue in the very heart of our great towns, and whose indifference to the moral circumstances of the laboring poor has fostered these nurseries and schools of crime,—part authors and abettors of the boy's depravity? Such questions open a fearful account with society.\* Such questions have an additional pertinence when applied to the Licensed Traffic, which is the fountain head of the evil.

It should be recollected that we have, in England alone, often as many as 17,000 Juvenile Offenders, and that this is but the incipient disease—that the vicious boy is but the father of the *dangerous man*. Mr CHARLES DICKENS, who, alas! opposes the only efficient remedy for the evil he deplores, has finely said:—“There is not one of these—not one—but sows a harvest that mankind *must* reap. From every seed of evil in this boy, a field of ruin is grown that shall be gathered in, and garnered up, and sown again in many places in the world, until regions are overspread with wickedness enough to raise the waters of another deluge.” And when this *is* so, how can men calmly sit down and calculate what number of generations it will take, by slow degrees of moral suasion, to ‘counteract’ the evil that could be crushed at once and for ever?

§ 104. The Traffic operates in another way. Not only does it bring up vast numbers of children without moral instruction—not only does it instil into them the forlorn and desperate principles of the beggar or the thief—not only does it embrute the youth and the adult who have been neglected, and steep their nature in double depravity,—but it entices and ensnares multitudes both of our Teachers and our Taught, and leaves them not until every flower of moral beauty has been blighted within them—until every root of principle has been torn up—until well nigh every line of Truth and Hope has been erased from their souls.

The Rev. J. HORLICK says:—“The beershops sadly counteract the effect of our labors, whether in preaching or teaching.”†

The Rev. HENRY BERKIN, of the Forest of Dean, “considers the morals of his neighborhood to have been incalculably injured by the beershops:—has seen boys of 12 years old staggering drunk” since their introduction. “The facilities offered by these houses, induce the colliers to spend their money away from their families, and *destroy* their domestic habits. The instruction of his school is greatly *counteracted* by the ill effects of the Beer Bill.”‡

\* October 1851, p. 406.

† Evidence on the Employment of Children, 27.

‡ *Ibid.* p. 23.

DAVID MUSHET, Esq. thinks "the Sunday-schools are of important benefit to the juvenile workers, but the Beershops form a *preponderating evil*."<sup>\*</sup>

CHARLES CONWAY, Esq., of Panteague, says:—"No education or training can cope with this moral pestilence."<sup>†</sup>

The Rev. B. DE RENZI, Chaplain to the Leeds Borough Gaol, in his report to the Magistrates, makes this remark:—"I find that out of the 1,041 prisoners [committed in one year, 1852-3], there were only 138 who had never been at school. Must there not, then, be some other reason for this vast amount of crime? *He could trace it to nothing else but to the existence of dram shops and beerhouses*; their young people, when they quitted school, being tempted into these dens of infamy and vice." The same gentleman has favored us with the following return:

Number of Prisoners in Gaol at Leeds.	Number who have attended Sunday School.	Number who have been Sunday School Teachers.	Number under 18 years of age.	Number under 18 years, who have attended Sunday School.	Number who have not attended Sunday School.
282	230	23	33	28	52
Aug. 14th, 1854.	Or 81 $\frac{1}{2}$ per cent.	Or 10 per cent.	Or 11 per cent.	Or 84 of column 4.	Or only 18 $\frac{1}{2}$ per cent.

The Rev. JOSEPH KINGSMILL, in his official report of the Pentonville Penitentiary for 1849, says: "Of 1000 convicts, 757 had been Scholars in the different day-schools, high and low, in the 'country; and nearly half of that number, on an average, five 'years."<sup>‡</sup>—p. 14.

The *Daily News* records these astounding facts:—Returns in 1849, from the Governors of 100 prisons, show that out of 5,996 prisoners then in gaol, 2900 had been Sunday School Scholars.<sup>‡</sup>

\* *Ibid.* p. 25.

+ *Ibid.* 593.

‡ At a meeting of Ticket-of-Leave men, convened by Mr H. MAYHEW, March 12th, 1856, to which 50 responded, it appeared that *more than one-half of them had been educated either at Day-schools or Sunday-schools*. The history of one of them shows how Drinking and the Traffic necessarily tend to draw the released criminal back into the vortex of crime:—

"A young man of neat and comparatively respectable appearance, with great fluency and remarkable propriety of expression, proceeded to narrate his past career. Having been condemned for seven years, he was sent to Millbank Prison, where he was put to tailoring. *Being fond of books*, he was enabled to improve his previous education, and even began to 'tackle' algebra. After the lapse of 14 months he went to Portsmouth, where he was employed in wheeling barrows from morning to night. During the whole of his confinement his perpetual source of anxiety was, *what was to become of him when he should be liberated?* On being released, he had £6 12s. in his pocket, and when he got to Southampton the officer of the penal establishment, kindly (?) offered him a drop of brandy. *He*

Returns from the Matrons of Penitentiaries and Houses of Refuge, show that out of 422 inmates, 312 had been Sunday School Scholars, and 16 Teachers.

Archdeacon GARRETT, in a recent charge to his clergy, in referring to the domestic consequences of drunkenness, says:—  
 “Wherever this vice prevails, there are wives wronged, children neglected, all household order and economy at an end, and what ought to be the centre of all charities, and the school of all virtues, is a ruin and a desolation. To remove what feeds vice and inflames the passions, and by all lawful precautions to impede their gratification, is as much an axiom of educational wisdom, as the inculcation of moral principles and discipline in positive duties. Yet such temptations are elaborately multiplied.”

§ 105. Perhaps this subject may be illustrated by contrast. Who are the Factory Girls of MANCHESTER? The daughters and relatives of Drunkards and Drinkers; or who are perpetually surrounded with the tainted and tainting life of such; and who, as a body, must imbibe the tastes, and sink to the moral tone, of their associates. The mark of Comus is upon them. Who are the Factory Girls of LOWELL?—with whom we have conversed, and into whose lives we have enquired. They are, generally, the daughters of sober Country people,—peasants, lumber-men, or small farmers. But what are they? In person healthy,—in manners, in speech, in simple self-dignity,—and after the labor of the day, even in dress,—these Factory Girls are, to all intents, Gentlewomen—and many of them more truly intelligent, as regards science, history, and morals, than the Ladies of an English drawing-room. At Lowell there is indeed ‘Mind amongst the Spindles,’ and manners too. They board in handsome houses, live in carpeted, neatly furnished rooms; have all their pretty libraries of choice books; sustain a little magazine of their own; have their own Lecturers; above 1000 of them have considerable deposits in the Bank; and many of them put-by very snug little dowries, with which to commence Domestic Life as the wives of the Country Proprietors, and the mothers of a free and rising People. We know of no material cause of difference save the one named.

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took ‘a little,’ which, as he had not tasted spirits for four years, immediately got into his head, so that with the help of a glass or two more, he became quite intoxicated, and spent all his money the same night, and got locked up into the bargain. Arriving in London without a farthing or a friend in the world, with no prospect of employment, and with no one, if he wanted a meal, to say, ‘Here it is for you,’ what was a man to do? Before he could bring himself to thieve, he walked the streets in a vain search for work for three months, until he wore out two pair of shoes, and grew emaciated from having nothing better to eat than a bit of bread and a herring. In this desperate state he met with his old associates, and for a period of two months he did very well as far as money went, for he made £6 or £8 a-week. This, however, was earned by practices which he sincerely disliked; but then, if the public would not allow him to make £1 by honest means, what was a man to do?”

*There*, the Traffic has long been scathed, branded as immoral, and proscribed by the wise and pure: *here*, it has done its work, and left its trail. From that picture just given, let the reader turn to this:—

Beyond yon shadow on the welkin's verge,  
At memory's call, past scenes salute the eye;  
The long, black streets of Manchester emerge,  
And rivers with the fabled Styx that vie;  
And chimneys numberless that blot the sky;  
The factories pouring human tide on tide,  
Stunted and pale, *their physiognomy*  
*Of beauty's form and meaning oft denied*,  
Doomed offerings at the shrine of avarice and pride.

*And note their language as they pass along—*  
The horrid oath, loud laugh, and jest obscene,  
*The frequent snatches of the odious song*,  
And rude remarks on passers-by between;  
And lo! the *gin shop* opes its jaws unclean,  
*And shoves a mouthful of its daily meal*.  
Insatiate! long Death's Leader thou hast been:  
Earth's other scourges give a time to heal—  
*Thy giddy host still down to dark destruction reel.*\*

Those lines could never have been written of a Maine Law State. The Traffic, moreover, not only tramples out knowledge, where it previously exists, but it has a *vested interest* in a sensual and ignorant social state—it is an invertebrate and sleepless organization for obstructing the elevation of the people.

The *Athenaeum*, of June 21st, 1856, in allusion to the rejection of a proposal to found a **FREE LIBRARY**, says:—

"The beer interest has triumphed in St Pancras's, as it formerly triumphed in Mary-le-bone and Islington. St Pancras will not listen to the proposal of *a farthing rate for intellectual exercises*; yet those who look on mournfully from a distance may be comforted by an assurance, that these failures indicate no falling away of London and Londoners from liberal sentiments. *They indicate nothing save the activity of the beerhouse interest; an interest always powerful and always ready, being thoroughly organized and perpetually on the alert.* Tap, the landlord of the Jolly Topers, knows that Brown and Jones spend their evenings and their wages in his bar parlour, because they obtain pleasure; *his interest, therefore, is against setting up public libraries and reading rooms in the next street*; and partly to please Tap, who is such a capital fellow, and partly to spite Robinson, an unsocial fellow, who never enters the Jolly Topers, but would go to the public library, Brown and Jones join with Tap and Tap's friends *to put down reading and reflection.* The better classes must put aside their apathy, and combine with the sagacious body of artizans to chastise the Tap interest."

§ 106. All that we have yet detailed, by way of impeachment of the Traffic, is but preliminary to charges of deeper depravity behind. It is the dispenser of that which creates a guilt more awful, as certainly it entails consequences more lamentable and

\* *Samsay's Wood Notes of a Wanderer.* 1851.

fasting, than any other vice. We allude to what has been called “the great sin of great cities,” but which the Traffic has now distributed all through the country ; the sin of prostitution :—

'Tis night—commotion reigns in street and lane,  
And mingling sounds come rolling on the blast,  
Like the far murmur of the wintry main ;  
Or fire, when raging in some forest vast ;  
And ever and anon the cab whirls past,  
And round reverberates the Tavern bell,  
And on to ruin crowds are hurrying fast :  
Her FEMALE FINGER POSTS, the pathway tell,  
Which Israel's sated King delineates so well.\*

Drink bears a double relation to this sin—it seduces the victim, that in turn shall become seducer, and, with a kind of fearful retribution, it prepares the other sex for the participation in the course of mutual corruption and ruin. The Syren allurements of licentiousness which cannot prevail over the sober Youth, are irresistible to the excited visitant of the Public-house. Hence it is, that the Publican and the Prostitute are the best of friends ; as a large class, one could hardly live without the other.

Poverty, we have no doubt, when *extreme*, contributes to produce the instruments of this vice. It sends, by a sort of imperious compulsion, the starving girl ‘upon the town’ ; but the prolific perpetual fountain of supply is from *seduction* on the one hand, as regards the ‘higher class’ houses ; and, on the other, in respect of the inferior class of girls, the low and licentious tone induced by the influences detailed in the preceding section. It is the drink gives courage to the seducer,—that excites the passions,—that throws the girl off her guard,—that is the instrument of the pimp and the bawd in their nefarious and infernal trade,—that creates so much of the poverty which increases temptation,—and last, not least, it is the drink that *sustains* the degradation it has produced, and enables the ‘unfortunate’ to carry on their miserable career of corruption to the dark and dreary end !

Mr J. B. TALBOR, in his work on this subject, narrates the examination in the Bankruptcy Court, at Birmingham, of one —, who had shamelessly entered £40 in his schedule as one night’s expenses in *Champagne* at a brothel, where he had treated both the girls and his associates,—and *who* were they ? the reader will ask. The Solicitor for the Bankrupt urged, that “if the examination be pursued, parties now living in happiness (! !) with their families, may be brought before this court, and *disclosures* made which must inevitably ruin their domestic peace. Some men in this town, respectable in their stations—holding important positions—must have their names brought before the world as visitors of a brothel, and associates of one whose immo-

\* *Ibid.* Not only its *terminus*, but its *cause*. “Look not upon the Wine. Thine eyes shall behold strange women.” (Prov. xxiii. 31-2.)

rality cannot be doubted." Could such 'respectable people' carry on such practices unstimulated by drink? We have not such a bad opinion of *sober* human nature. At any rate, it is a glimpse into an aspect of the Traffic which fast-men and lying-prophets would fain conceal—while they ascribe all impurity, as well as crime, to 'the unrespectable classes.'

Yes! the Beerhouses, Wine Vaults, many of the Public-houses (see § 96), and the Drinking Saloons and Casinos now multiplied throughout the land, are hot-beds of licentiousness, and seminaries of seduction. Well might Mr KAY, the Travelling Bachelor of the University of Oxford, remark, after a comparison of England with the Continent:—"We have often, and, "as I think, with great reason, cried shame upon France for "granting licences to the Brothels in her towns; but by our "present system of licensing Beerhouses, we are in reality "giving the sanction of Laws to, and encouraging the establishment "of, the worst possible species of brothels for the demoralization of "the poorer classes of Society."\* The late Mr B. ROTCH, B.L., a visiting Justice of Cold Bath Fields Prison, says, in his evidence on the Beershop Act:—"There is a degree of social appearance about a beershop that there is not in a Public-house; it looks more like a cottage and private society, so that young girls are not so much afraid to go in. We find that felonies among the young men, and seduction among young women, are most numerous in beerhouses." It is officially reported of LIVERPOOL, that "there are sixty or seventy taps, and hundreds of beerhouses, supported by the worst characters. In Williamson Street and vicinity, there are twenty saloons, etc., supported by *thieves and prostitutes*; and in the town more than three hundred brothels, in all of which spirits and wine are sold."† The Rev. J. KINGSMILL, M.A., says of the effects of the Beer-bill in the Staffordshire Potteries:—"Frightful immoralities became common, and the vice of gambling was rapidly generated."‡ The Rev. R. S. COOPER, Chaplain of Gloucester Gaol, "has been informed by prisoners and others, that much of the seduction and corruption in early life among females is to be traced to their being entrapped into these houses."|| The Rev. G. H. HAMILTON, Chaplain of Durham Gaol, "finds that nearly all houses of ill-fame are Beerhouses, and that spirits are sold in them."§ In HULL, it is stated that many of the Public-houses are well known to be 'houses of infamous accommodation.' The Poor-Law Commissioners' Report for 1853 says of Country Beerhouses, "They are receiving-houses for stolen goods, and frequently brothels."  
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\* *Social Condition of the People.* 2 vols.

+ Report on Crime to the Watch Committee. March, 1836.

‡ *Chapters on Prisons and Prisoners.*

|| Parliamentary Report.

¶ *Ibid.*

In the same report, a Publican is reported as saying—"If my beershop will not answer, I don't know whose can, for I keep them a girl and a fiddle." And they are no better in towns. Take LEEDS, for an example. (§ 31.) Mr SYMONS, in the *Prison Reports* for 1847, says:—"I went, accompanied by Inspector CHILDS, to visit the low places of resort of the working classes. We started soon after nine o'clock, and visited about a score of beer and public-houses. In the beerhouses there were several mere children; and in almost all were prostitutes. *These places were thronged.* In one, dancing was going on in a good-sized room up stairs, where I found a dozen couples performing a country dance; *the females were all factory girls and prostitutes.* Not one of these dancers, boys or girls, was above 21 years of age." Mr W. JAMES, Superintendent of Police, in his evidence (June 16, 1854), states similar facts. We give one horrible revelation. "At this place there was a number of boys, say from 16 to 18 years of age, assembled after they left the factories, and also young girls of corresponding ages. They were in the habit, twelve of them, of putting down a penny piece, and then throwing dice in a basin or a milk-bowl, and the one that threw the highest number was the winner of the prize—and that prize was, that he could select any one of those girls and take her up stairs for prostitution." (The house was broken up.) "Now the same people are licensed again, within nine months of this time; they were convicted on one single day, on two informations. There were three others (but two only laid, because it was considered to be unnecessary to try the others) for harboring prostitution, in the shape of keeping domestic servants, and similar things; we took the servants, and they gave evidence to that effect."\* "In NEWCASTLE," says the *Address of the Society for the Protection of Females*, "there are 29 Public-houses where private rooms are kept for women of loose character, at some of which 33 females live." Dr BISSET HAWKINS, in a paper on the Moral Statistics of Manchester, states that out of 70 prostitutes interrogated, 54 admitted they had worked in factories, and one-half were drunk at the time, viz., ten o'clock on Sunday morning. The age of four-fifths of the whole then in the town (718) were between 13 and 20 years. *Fifty-one retail Brewers and forty-one Public-houses allowed prostitutes to congregate on their premises.* The Rev. F. BISHOP, of Liverpool, speaks of the Saloons for Dramatic Representations and Singing, as "got up amongst the Publicans as a lure to attract people to the Public-houses, and to encourage tippling....The taste of the people is gradually depraved by them." (Mr BROWN, M.P., asks a question as to one saloon, where "there appeared a female, very handsomely dressed, who sang a very indecent song, and the people were then as quiet as mice.") Mr BISHOP is led to

\* *Report of Select Committee*, p. 189.

describe what he had himself seen, while visiting 14 of those houses in company with a Sergeant of Police.

*"In every instance I marked the presence of abandoned women. In one of the rooms there were 150 persons—a third boys. In another of higher character 400 persons, a fourth of whom consisted of youths of both sexes. The best conducted of the rooms I fear the most. In some the songs and singers are too disgusting to be dangerous: but in the better conducted a thin gauze of propriety is thrown over all the scenes. A few are open on a Sunday evening. I lately looked in at one. The audience was small—most intoxicated. I heard the Old Hundred Psalm sung, the Hallelujah Chorus, Bishop Ken's Evening Hymn, and the Jubilate Deo. The organ was a large one. It was a melancholy thing to see and hear this group (of singers) singing in such a place and such a company, 'We are his People and the Sheep of His Pasture.' The people who frequent Casinos would shrink from going to Beerhouses first; it is not till the depraving influence has done its work that they take to the beerhouses."*\*

It is no better elsewhere: God's music enlisted in the Devil's cause! A Report of a Committee in Birmingham, appointed to enquire into the alleged *Educational* and *Elevating* tendencies of the Traffic now lies before us.† The following are extracts—six Saloons and Concert Halls were visited, and 20 gin palaces.

**"SALOONS."**—The charge for admission to most of these saloons is fixed at fourpence or sixpence, in return for which two cheques are given, each of which purchases refreshments for half the amount. These refreshments generally consist of spirits or other intoxicating beverages; such drinks as ginger-beer and lemonade being, in some of the saloons, unattainable, while in others they were served with so much reluctance as to show plainly that such orders were not in accordance with the spirit of the management. To persons unused to the atmosphere of these places the effluvia which greets them upon entering is almost intolerable: the fumes of ignited tobacco mingling with the humid vapour which rises from the hundreds of steaming glasses around, and these, in audiences of densely-packed human beings, create a stench at once offensive and injurious.

"One of the reports given in to your Committee, says: 'At some of the places I have visited, the proprietor is not over particular either as to the dress or appearance of his visitors; at all of them a number of prostitutes are to be found, but by far the greater number of the female portion are young girls working in our manufactories and warehouses, who here mingle with men and boys, spending their cheques in intoxicating liquors.' Another—'In one case not less than a thousand persons of both sexes were present, many of whom were young. There were some few who, according to appearances, were parents of children, or heads of families.'

"The character of the entertainments provided are various: comic, negro, and sentimental songs, tumbling and gymnastics, ballet-dancing, music, and acting. Light as these are, even when introduced into select circles, and sanctioned by the presence of the sedate and sober, how much more injurious must they become, when frivolity is supplanted by *obscenity*, and mirth and gaiety become the vehicles for conveying to the heated imagination, thoughts the most debasing and desires the most unchaste.

"Another report says: 'The performances consist of vocal and instrumental music, farce, pantomime, and low comedy. Great difference is observable in different houses with regard to the merit of the perform-

\* *Report on Public Houses.* 1853. pp. 228-31.

† Printed by White and Pike, Bull-street, Birmingham. 1854.

ances, and some small difference in respect to their morality. The same piece, by being produced in a different dress, is rendered more or less objectionable, according to the supposed tastes of the company. At many of the places I have visited I have found that both in *the pieces enacted, as well as in the songs, there has been no attempt to conceal immorality, beyond the occasional introduction of sentences which may be made to convey a double meaning*; and that the majority of those in attendance see through the flimsy veil, and construe the sentences to their worst meaning, is only too apparent from the applauding manner in which such parts are greeted 'even by the youngest persons present.' In another place, visited on a Monday evening, the report says: 'The songs were highly spiced with *lascivious hints*, which were applauded by a mixed audience of both sexes.' A third report states, 'Drinking and smoking were the order, and of the character of the performances we have nothing favorable to report; some of them were of that simple, silly kind, which would tend rather to disgust than gratify an intelligent being, seeking for rational enjoyment, while in other instances *the gestures* of the performers, as well as the sentiments uttered, appeared to us calculated to arouse feelings of the worst character. It was painful to us to witness that the nearer the approach to licentiousness, the heartier and louder grew the applause. The places seemed to us to be the very hot-beds of excitement; drinking and smoking, stamping and clapping, being predominant features. All those wise and sober rules that check and regulate other assemblies are here thrown aside, and we doubt not but many a thoughtless female has had her face first crimsoned, and the first fires of unwhallowed passion kindled, amid the unnatural excitement of such scenes as these.' Another report says:—'I feel it my duty to state that having visited two concert-halls, I cannot say anything more favorable of the one than the other. Their tendency is to corrupt the morals; to vitiate the tastes of the young, degrade their character, and make them low and groveling in their pursuits.' Speaking of another saloon, the report records:—'The attendance here was very meagre, dotted here and there with females of very questionable character.'

"**GIN PALACES.**—They have divided the houses visited into three classes. 1st, The Bad; 2nd, The Worse; 3rd, The Worst. The first are simply classified as better than the others, because void of some of those attractions with which the latter are furnished for beguiling chance customers. Their chief visitors are the wretched and impoverished, residing in their immediate neighborhoods. These assemble here to drink, blaspheme, and wrangle, until their scanty means are exhausted. The scenes are at times truly appalling,—parents and children, young and old, all commingling in various stages of intoxication, listening to and uttering the most abominable and filthy language.

"The second are those which, while uniting no mean proportion of the features of the former class, exceed them by far in the pernicious influences they exert over a class of people *not yet sunk* so far. The greater number of these dens are in the busiest and most frequented thoroughfares of the town, and nearly all have some attraction calculated to arrest the attention of the passer by. Females with faces blackened to imitate negroes, and men in imitation of negroes; at one a fat man, at another a tall woman; a third displays a Caffre chief; here a silvered globe, and there a Georgian slave. Musicians were in request at all, and at most of them there was singing in addition. At many of them there was a raised platform, so as to give the singers prominence. Lads of fifteen or sixteen were not unfrequently met with, drinking spirits and water, even as late as twelve or one o'clock. But the predominating features of these places are the *low prostitutes and their 'fancy men.'* These congregate round the bar fire, while the women parade the streets in pursuit of their wretched calling. Should one of these succeed in enticing some half-unwilling man or lad to their pur-

pose, he is taken to the gin-palace (where her protector is to be found), and here he is generally prevailed upon to stand treat; and yet these persons, in consideration of the custom they bring (*and of course their avocations being well known to the landlord*), are allowed to harbour here night after night, whether they call for drink or not.

"In treating of the third class, your Committee beg to instance a house situated in *one of the most respectable thoroughfares in the town*. At three of the visits, prostitutes were found dancing with apparently the *vilest of characters*, more or less intoxicated, while the most filthy and disgusting epithets were continually passing between them, mingled with obscene jests. This place is evidently a rendezvous after the majority of its peers are closed; and although the bar in which these orgies take place is the least in size of any visited, yet it is sufficiently capacious to contain the concentrated vice of all in its most objectionable form. There is, your Committee believe, *an hotel* in connexion with this bar; if so, the fact renders it more objectionable, as this infamous trading in iniquity is hidden by a mask of respectability. There are two others which can scarcely be said to come under the denomination of gin-palaces, as they aim at enlisting under the banners of profligacy those who would (while sober) deem it beneath them to lounge at the public bar of a spirit shop. Your Committee heard of regulations with regard to these places, formed expressly for the purpose of preventing intrusion on the part of the *uninitiated*. The visitors, however, by patient watching, saw sufficient of the parties who visited these *WINE ROOMS*, to convince them of the nature of the transactions prevalent within. Music has been heard till between one and two o'clock in the morning; abandoned women are also readily admitted at that hour, dressed in the most extravagant and fascinating style, evidently for no transient visit; and one of the visitors, while conversing with a dissenting minister of the town, had this voluntary statement:—'A person, who would gladly substantiate the truth, had told him that dancing was carried on at these rooms, not unfrequently *both sexes being wholly or partially in a state of nudity!*' It appeared to your visitors, that little is done in these rooms before the closing of the Theatre, when the *influx of visitors (some very young) and prostitutes was perfectly astounding*. The rooms stand back from the houses themselves, so that in the day-time nothing extraordinary presents itself to the view, and room is left at night for any person to regale himself alone, if he should be unfortunate enough to be pronounced not all right. At each of these places is held a *table-d'hôte*, at which many clerks, etc., are to be found, who doubtless are, if 'up to the mark,' regaled with the intelligence during the day of the kind of amusement to be met with there.—To return to the gin-palaces, at one of them they found all that has been said of the wine-rooms holds good (with the exception of the back premises), while as regards its feature as a gin-palace, it is perhaps even somewhat more objectionable than any yet described. Its proximity to the Theatre, and its situation among a complete hot-bed of brothels, will sufficiently explain this: besides the unfortunate females who abound in our streets, and who are continually trying to flee from self, and to drown the thoughts of their lamentable condition in gin, *there are here several of the procurresses of the neighborhood*. At one of the houses visited, they obtained undoubted evidence that prostitutes attend there regularly every night, with the tacit consent of the proprietor, and here they remain, if not '*engaged*,' until two or three o'clock in the morning, when the house is closed. At this house, the company began to assemble at about half-past twelve o'clock, and at half-past one, the place was crowded; men and women in every stage of intoxication, shut out elsewhere, found a refuge here. The scene must be imagined, it cannot be described. The language was truly horrible, and as a specimen of the brutalized and degraded tastes here exhibited, your visitors may state that

they received information of treatment of the most disgusting character to which a poor woman was subjected, who had been made intoxicated for the purpose, the details of which could scarcely be believed, even if reported,"

Yet this town it was that STINTON and his compeers, in the Parliamentary Committee, endeavored to blanche from intemperance and stain as connected with the Traffic! Mr CLAY stated (p. 632) of PRESTON, speaking of the Alehouses—"Of 84 statements made by Prisoners, 41 testify to harboring of Prostitutes, 10 to the keeping of dancing-rooms, 56 to gaming," etc. So it seems, that while we put down Gaming and Brothels under one name, we are actually multiplying and licensing them under another! Mr JAMES MATHER, Spirit Merchant, SOUTH SHIELDS, before the same Committee (p. 556), says of the 'tied' Publicans—"They admit all descriptions of characters into their houses, which are a PERPETUAL SOURCE of nightly disorder. Loose women and the young of both sexes are admitted; and that kind of house becomes, in fact, a source of very great evil to the community." In SUNDERLAND, 60 public-houses were visited by deputations, in nine of which 450 persons were found, chiefly young persons of both sexes, exhibiting the most repulsive immorality and debauchery. An affecting account is furnished, on the authority of Captain SHEPPARD, of the state of things in BLACKBURN.\* At the early part of 1853, there were 34 public-houses and beershops which "harbored prostitutes, or maintained auxiliary brothels." There is given the history of a girl who had lived in Manchester with six factory girls, two of whom persuaded her to come to Blackburn with them. She was invited to the Printers' Arms, but being unwilling to fall into the profligate system of the place, the landlady sent her to the Black Boy, kept by her (the landlady's) brother. *She was made drunk, and induced to sleep with a 'gentleman.'* "They maintain auxiliary brothels adjoining their houses, as a means for increasing the sale of their liquor." In his 24th Report of the House of Correction at PRESTON, Mr CLAY reveals the following startling facts:—

"My last year's intercourse with the subjects of my ministry, has made me acquainted with practices resorted to in certain beerhouses, which must be mentioned in order to show what demoralizing agencies are added to those already existing in them, viz: the keeping of prostitutes. From three entirely independent sources, and at different times, I received statements fully confirming each other, which leave no doubt of the extent to which this profligate system is carried on. Sixteen houses in one town, harboring, or rather maintaining, about fifty-four prostitutes, have been named to me. But this is not the full amount of the evil. *The neighborhood of those houses is corrupted. Women—married women, occupied to all appearance with their own proper avocations at home, hold themselves at the call of the beerhouse for the immoral purposes to which I have referred.*"

\* Vide 1st Report on Public-houses, pp. 355-6.

The same horrid fact is true of several Public-houses at SHIELDS ; the contagion spreads through the neighborhood, and passes, with its taint and sorrow, into the far future. So much for the direct connexion of this sin with the Traffic. It is of no avail to say, that we must not condemn the bad for the good ; for the question is one, not of men, but of *a system*. This vice belongs to the system, is inseparable from it ; and, after all, it is the *respectable* part—‘the body’—that bears the excrescences—and to extirpate them, we must destroy it.

Mr R. HAMMOND, Jun., J.P., states before the recent Parliamentary Committee, as follows :—‘There are 182 public-houses in Yarmouth ; of these 128 are *Brewers’ Houses*, 41 of them being the property of Sir C. E. LACON and Co., and 47 of them the property of STEWART and Co., Norwich. *A great many of them are of the lowest and worst description*, fiddling, and dancing, and whoring all night long ; but, *from the interest the parties have on the bench*, little or nothing is said on the licensing day.’

So, in like manner, the *unlicensed* Traffic must be regarded as part of the system which affords facilities for evasion, and for the purchase of the liquor sold in the ‘Hush-shops.’ Mr OSBORNE, in his *Beershop Evil*, says :—‘Within a short distance of the spot where these pages are written, there is a *village notorious for its immorality, and a very hot-bed of crime*, in which, though there is every evidence of the amount of beer consumed at the several beershops, *there is no one such shop licensed to sell beer on the premises* ; there is no public-house in the place.’ (p. 30.)\* In OLDHAM and elsewhere, hundreds of these shops exist. They must be regarded as parts of a system, for which entire prohibition of the Traffic is the only efficient remedy.

§ 107. The ‘Report of the Committee on Drunkenness’, in 1834, shows how Intemperance directly leads to Prostitution, as it is undoubtedly at the bottom of much of the *Illegitimacy* of the country. Mr G. WILSON, overseer of St Margaret’s, Westminster, said—‘When unfortunate females have applied for parochial assistance, or, being pregnant, for admission into the workhouse, I have invariably, in the presence of the matron, enquired into the causes which led to their wretchedness. Almost, if not *always*, they have attributed it to *the excitement of liquor* ; being taken out by their companions in hours devoted to relaxation, or their attending a place of worship, and being taken to a *Public-house*, and there the company, or the excitement of spirits, have thrown them off their guard ; and they have dated their first ruin to that, I think, *almost invariably*’ (p. 278.) The Rev. DAVID RUELL, Chaplain to the Clerkenwell Prison, said—‘Drunkenness is the very element on which

\* Will the Publicans argue that *Law and Police* could not mend this ?

Thieving and Prostitution live. It becomes the only means of driving away painful reflections." (p. 307.) Mr POYNDER, Under-Sheriff of London, observed—"To the effects of liquor multitudes must refer, both their *first deviation* from virtue, and their subsequent *continuance* in vice.....Perhaps it would be *impossible* for them, without that aid, to continue such a life, or to endure the scenes they are called to witness." (p. 418.) These facts are well known to the Traffickers, and were expressed by an aged Distiller, at a public dinner of the trade, in the coarse toast,—"*The distillers' best friends—the poor whores of London.*" (Report, p. 428.) Mr W. TAIT, the Police Surgeon, of Edinburgh, in a little work on *Magdalenism*, confirms all this, and points out the physical cause. "Many, it is true, had no claim to the title of drunkards before surrendering themselves to a life of licentiousness; but comparatively few have yielded to the entreaties of their first seducer without being previously brought under the influence of intoxicating liquors. In the poorer classes, a tendency to dissipation cannot be *supported* otherwise than by prostitution; whilst, in the richer, no woman who is *under the influence of liquor* is capable of resisting attempts upon her virtue."\*

§ 108. Mr TAIT relates the case of a girl who, on her sick bed, "confessed with tears that she could not speak to a gentleman in the street without being under the influence of ardent spirits." Mr W. LOGAN, author of the excellent little work on *The Moral Statistics of Glasgow*, says:—"Often have the poor girls said to me, 'Ah! Sir, we never could go on in our miserable course, were it not for intoxicating liquors: it is the last thing at night, and generally the first thing in the morning.'" The Hon. and Rev. S. G. OSBORNE describes a recent visit of inspection to one of these Glasgow dens—reeking, to use his expressive phrase, with 'Immortal Sewerage'.† *Sewerage* indeed! and this in a City of Churches and Palaces. "There were many young, almost infant girls,—not brazened in their course, for they had never known shame,—but wearing the appearance of their childish debauchery as the clothing of their very nature. Virtue would indeed have appeared as an exotic on such a soil. *There* was the returned convict, but little clothed, on a filthy bed, a prisoner again to the woman who had enticed him there, robbed him of the rest of his clothes, and thus kept him captive to his nakedness. *There* were young girls, who had followed sin from their birth; they had returned from their nightly pursuance of it, and wore yet the tawdry finery above their rags and dirt,

\* A Parish Minister, in an agricultural district of Scotland, lately told us, that illegitimacy was very frequent, notwithstanding Schools and Churches, and that, from enquiries of the mothers of the girls, he had ascertained that 9-10ths of them originated in the meeting at the Farmers' houses, and that the girls, though never drunk, had in all cases *drank their toddy*.

† *Immortal Sewerage.* p. 13. 1853.

with which they had endeavored to hide the fact that they were the very dregs of the base. ‘*Drunk*’, said one; ‘*of course I am*. I like it. I am always drunk when I can get the drink.’ She might have been some 21 years of age.”

§ 109. Mr POYNDER says—“The ruin of multitudes of females for life, takes place at so *early an age* as is perfectly shocking to humanity. In most of such cases I have found the parents to be the tempters and destroyers of their own children. I think there is little hope of effecting an alteration in this lamentable traffic so long as the parents are rendered insensible to their children’s interests by their own addiction to drinking.” The Rev. Mr WORSLEY remarks, that “the Prison Reports afford many instances in which girls under 12 or 13 years of age had been forced into the streets in order to supply a brutalized *parent with drink*.<sup>\*</sup> Mr LOGAN, as the result of enquiry of a great number of these unfortunates, found that “*one-fourth of the girls had been servants at Inns or Public-houses*, where they were seduced by persons frequenting such places.”

§ 110. And what are the consequences of this vice, so constantly fostered, in its remote beginnings, in its full play, and in its collateral circumstances, by the Traffic? Mr D. W. HARVEY, the Free-trader in drink, even he would not allow this trade to be ‘free and open,’ though it could not exist a week without the other! Referring to London (with its 10,000 fallen ones), he says:—“We now have *hundreds of prostitutes parading the streets* ‘from Temple Bar to Aldgate Church, *seducing and alluring the young men, hundreds in number*, belonging to the great establishments of the city.’ And why invoke the interference of the law? “*TO PRESERVE MANY YOUNG MEN FROM CONTAMINATION*.” Every word of this plea is our own for the protection of *ALL*—falling or fallen, young or old, pure or impure, from the all-devouring blight of the Traffic. *We demand protection from this agency of contamination, and also from its feeder—the cause of the cause.*

But we must think, not only of the consequences to the seduced, the victims—of the dissipation, loss of money, dishonesty, and ultimate ruin of social position,—of physical disease carried into innocent families, and, in the shape of scrofulous tendencies, transmitted to posterity!—there is the poor ‘waif of womanhood’—herself at once a victim and a social Nemesis! Hers is not life so much as *Death-in-Life*. And hence, so often, before the last corruption comes on, she seeks the sombre arches of the ‘dark-flowing river.’

Mad from Life’s history,—  
Glad to death’s mystery  
Swift to be hurled—  
Anywhere, anywhere,  
Out of the world!

\* *Prize Essay on Juvenile Depravity.*

In our judgment, there is, in the catalogue of crimes, no isolated foe to a Nation's civilization so potent as this!—for it strikes at once at the core of vitality, ruining both body and soul; and pierces, with its poisoned dart, into the health of the future! For this evil—this saddest of social diseases, a putrefying sore on the body politic—there are many *palliations*, as with the mother Traffic; there is only one *PANACEA*. It will lessen only in proportion as its causes are lessened; and as true civilization advances. Prostitution, which grows with a rank and rapid vegetation in the pestilential atmosphere of the Traffic, would wither and well-nigh perish in the vital air of a civilized prohibition. Moral agencies could *then* cope with the one remaining natural cause of it, but with the unnatural apparatus of physical and social temptation which now exists, expressly nourishing it with the 'sewerage' and 'miasma' of the Traffic, it cannot fail to rise up into a monstrous luxuriance of evil, which saddens the heart of Moral Enterprize, and makes Hope almost hopeless! All honor, however, even to efforts in *that* direction! It is high time that the lesson of the Saviour should be taken to heart both by the Church and the World. Let us not reject the penitent Magdalene! nor wait till her brows are dark with the dews of death, to treat her tenderly. Better while life and hope are hers, and power to aid is ours, that we entreated her in her sin and sorrow to accept the sympathy of Virtue, and rise up from her lost estate; better that we should guard her sex by the frown of Virtue upon the seducer, and the sword of righteous Law to punish. We look with pleasure upon the 'Ninth Report of the Associate Institution for the Protection of Women'—with joy upon every Magdalene Asylum, and every Industrial Refuge for this too-long neglected class—and we pray that the Divine blessing may follow their efforts, so that, like the Ragged Schools, they may prosper and go on, until they are no longer needed. Do this, we say, *by the way*—but leave not the greater and wiser thing undone. Demand, with us, and for us, the *Aegis* of Protection from the great *fountain* of all this corruption—the Liquor Traffic. The 'Report' thus states its object: "The Society aims at *reducing the facilities* which exist for the extension of this vice, and the multiplication of its victims" (p. 7). It follows, inevitably, from this sound principle, that they must seek to reduce the business and houses of the Traffic to *zero*.

§ 111. On the subject of ACCIDENTS, arising from Intemperance, little need be said, because the fact is, on the one hand, so patent to all, and on the other so clearly beyond the scope of precise statistics. A few indications, and a few illustrations, will enable the reader to comprehend the vastness of the *Interest* of life, welfare, and wealth, involved in this aspect of the question.

1st. Accidents may happen to the *person*, attended with injury, loss of time, and often of limb, and costs of various kinds.

Loss of *Life*, with permanent loss to survivors and dependent relatives, and to society ; or,

2nd. Accidents may happen to *property*, involving loss of capital, destruction of fixed capital, of the instruments of wealth and re-production, and attended by derangement of Trade.

Now the Traffic is perpetually occasioning accidents, associated with losses of all these descriptions, by land and by sea ; in our fixed habitations, or while travelling abroad ; and whether sleeping quietly in our beds, or engaged in our industrial pursuits.

Take that recent frightful *Boiler Explosion* at Rochdale, where, in consequence of the drinking of the engineer leading to neglected duty and incompetent management of the steam-power, a whole neighbourhood suffered shock and injury, and some score of innocent persons—fathers—sons—daughters—were blown and blasted into hideous death, or bruised and mangled into life-long decrepitude.

Take that recent *Fire*, near Leicester Square, London, where, in consequence of a lodger, returned from a drinking-house at midnight, igniting his bed-curtains, a conflagration raged for hours, destroying some £5,000 worth of property, burning down several houses, and consuming in its flames nine innocent persons who were sleeping in their beds !

Take, again, the stately *Man of War*, or the *Packet Ship*, or the great sea *Steamer*, with the prodigious wealth and precious hopes they bear, and the hundreds of souls on board—how many of these have been *consumed* or *cast away* in consequence of intemperance ? *Man will never fully know*, till “the sea shall give up its dead.”

Take, again, that long trailing train of carriages upon the Iron Road, where the lives of hundreds are dependent on the caution of a guard, the watchfulness of a pointsman, or the sobriety of an engineer—how many frightful *Collisions*, with their wrack, contusions, and mangled death, are to be attributed to the drink, licensed to be sold at the Railway Stations ?\*

§ 112. The Manchester Statistical Society, some years ago,

\* The day after penning this paragraph, we stumbled on the following letter, from the *Times* of September 22, 1855.

“Sir.—Will you be so good as to direct public attention to the dangerous practice (getting every day more common) of treating railway officials to drink in the refreshment rooms at the stations ? Only the other day, at a certain station, I had occasion to talk to several guards and porters, and found almost every one of them to smell strongly of the bottle. Travelling by a night train lately, I observed several gentlemen treat the guard to drink. This very day, I have counted nearly a dozen railway servants in a refreshment room, all drinking. I would not attribute any of the late accidents to this cause—though, certainly, suspicion is justifiable—but the custom is really getting so common, and the possible, nay, probable consequences so awful, as to demand the attention of railway companies, or, still better, of the government, to consider whether, notwithstanding the inconvenience to the public, it would not be advisable to prohibit the sale of spirits [etc.] at railway stations. Fancy an engine-driver, or a pointsman drunk !

“I am, Sir, your obedient servant, A COMMERCIAL TRAVELLER.”

published three papers read before it, written by its president, Mr ROBERTON, by Mr EDWIN CHADWICK, and by Mr R. RAWLINSON, engineer to the Bridgewater Trust. "A serious proportion of the accidents," says Mr ROBERTON, "was owing to the men going to work more or less in a state of intoxication. One woman stated that she had laid out the corpses of 29 men, only one of whom, the last, had died a natural death." The *Sheffield Iris*, of the 17th May, 1834, states that "Mr BADGER, the coroner, has, within ten days, had occasion to hold inquests on 13 persons, who have come to their deaths by accidents, solely arising from drunkenness." A vast number also arise from drinking much short of drunkenness, but which are never imputed to their true cause. This is especially the case in industrial employments connected with dangerous machinery, requiring caution and steadiness of eye and hand.

Mr T. H. FITZGERALD, while Mayor of Limerick, in September, 1839, said:—"As coroner, I have held about 140 inquests since the first of October, 1838; and I can safely affirm that one-half that number were caused, directly or indirectly, by intoxicating liquors. There were eight cases of death by drowning, several by burning, and many from *apoplexy* while in a state of intoxication; and within a short period, four individuals committed suicide while under the hellish influence of strong drink."\*

The following table is part of the *Dublin Police Returns*:

"Table showing the number of CORONERS' INQUESTS during the years 1852 and 1853, specifying the Division in which such occurred, and whether Adults or Children for latter year.—*Accidental*, 133: *burned*, 16 males and 8 females; carts and carriages rolling over the body, 7 males and 3 females; crushed, 1 male and no females; *drowned*, 28 males and 6 females; falling of timber, 1 female; *do.* of buildings, 1 male; *do.* of carriages or horses, 2 males; *do.* from a height, 18 males and 1 female; *do.* down stairs, 1 male; *railway accident*, 4 males and 2 females; *scalded*, 5 males and 8 females; knocked down by a horse, 1 male; *suffocated*, 3 males and 4 females; *inflammation from a wound*, 1 male; *by machinery, etc.*, 5 males; *inhaling gas*, 1 male; *injuries by blow of a stone*, 1 female; *congestion of brain by an over-dose of laudanum*, 1 male; a bone swallowed, ulcerated through the intestines, 1 male; *inflammation by drinking boiling water*, 1 male.

"*FROM 'NATURAL' CAUSES.*—*Apoplexy*, 13 males and 3 females; *visitation of God*, 3 males and 1 female; *epilepsy*, 2 males and 4 females; *other causes*, 56 males and 24 females; *total*, 106.

"*INTOXICATION.*—*Apoplexy*, 4 males and 3 females; *intemperate habits*, 2 males and 1 female; *intoxication only*, 2 males and 1 female; *total*, 13.

"*INFANTICIDE.*—*Wilful neglect of parents*, 2 females; *exposure to cold*, 5 males and 2 females, and *strangulation*, 1 female; *total*, 10.

"*SUICIDE.*—*Obstinately refusing food, none; cutting the throat under temporary derangement*, 3 males; *poisoning, do.*, 1 male; *shooting, do.*, 3 males; *strangulation, do.*, 4 males; *precipitation from window*, 1 male; *total*, 12 males and no females.

"*MANSLAUGHTER.*—Carts and carriages *rolling over body*, 1 male; *striking*, 1 male and 2 females; *drowning*, 1 male; and *thrown down with force and violence*, 1 male; *total*, 6.

\* *Dublin Monthly Magazine*, 1842, vol. i. p. 167.

"MISCELLANEOUS.—*Found dead*, 3 males; do. drowned, 15 males and 9 females; poverty and destitution, 1 male; *exposure to cold*, 2 males and 1 female; hydrophobia, 1 male; total, 32.  
"Grand total for 1853, 312."

Drink, no doubt, had much to do with all those classes italicised.

The *Shrewsbury Chronicle* reports amongst the proceedings at one of the Quarter Sessions (1847), that "the CORONER stated, that 'the extravagant use of intoxicating liquors, and the temptations held out to the people by the Public-houses and Beershops, were the cause, either directly or indirectly, of nearly all the cases brought before him as Coroner for the county.' (§ 181).

In the county of Lancaster alone, for 1846, we find amongst the items of expenditure, the cost of 1,455 coroners' inquests. Mr HEYES, a coroner for one of the districts, says:—"I have noted for pretty nearly the last twenty years, that if you exclude inquests held on children [many of which arise also from the carelessness of drinking mothers], and accidents in collieries, nearly nine-tenths of the inquests I hold each year, are on the bodies of persons whose deaths are to be attributed to drinking."\*

But perhaps the most emphatic testimony, is one given by a gentleman who, we shall be glad to learn, is now ready in his place in Parliament to sustain the Prohibitory doctrine which he some years back promulgated at two inquests?—we refer to Mr WAKLEY, M.P. The case was published in the papers at the time; the first in June, 1839, and the other shortly afterwards. Here are the extracts made:—

"Mr WAKLEY: I think intoxication likely to be the cause of one-half the inquests that are held.—Mr BELL, (clerk to the inquests): The proportion of deaths so occasioned was supposed to be 3 out of 5.—Mr WAKLEY: Then there are annually 1,500 inquests in the Western division of Middlesex, and, according to that ratio, 900 of the deaths are produced by hard drinking. I am surprised that the Legislature, which is so justly particular about chemists and druggists vending poison, is not equally so with the vendors of gin, which appears to cause such a dreadful waste of life."

At the second inquest, the same Coroner was reported as saying:—

"Gin may be thought the best friend I have: it causes me to hold annually 1,000 inquests more than I should otherwise hold. But, besides these, I have reason to believe, that from ten to fifteen thousand persons die in this metropolis *annually* from the effects of gin-drinking, upon whom no inquests are held. Since I have been Coroner, I have seen so many murders, by poison, by drowning, by hanging, by cutting the throat, in consequence of drinking ardent spirits, that I am astonished the Legislature does not interfere. I am confident that they will, before long, be obliged to interfere with the sale of liquors containing alcohol. The gin-seller should be made as responsible as the chemist and druggist. If a publican allows a man to stand at his bar, and serves him with several glasses of liquor,

\* Cited in Chaplain's Annual Report of the County House of Correction, at Preston, 1847.

and seen him drink till he gets intoxicated; and if that man should afterwards die, and a surgeon should depose that his death was accelerated by the liquor so drunk, then would the publican be liable to be punished *for having aided to bring about that death.*"

When an advocate of Liquor-prohibition,\* glorious JOHN MILTON, in his great epic, said—

Some by violent stroke shall die,  
By Fire, Flood, Famine; by Intemperance more—

he softened the terrible truth, since, while Intemperance is itself, those are its companions and consequences. He goes on to predicate very justly, that

Intemperance on the earth shall bring  
Diseases dire, of which a monstrous crew  
Before thee shall appear!

§ 113. Referring to physiological treatises on the DISEASES of that Intemperance which the Traffic fosters, we merely present illustrations of the probable *extent* of loss which we sustain by the system, in reference, first, to the more special and fixed complaints of society, chiefly arising from impaired organisms; and, second, in reference to epidemics, and suddenly destructive disorders.

The first may be estimated by the impaired health of drinkers, and by their increased mortality. Experiments in the Indian Army,† and in the Army of the German Confederation, amongst thousands of men; the comparison of the Temperance Sick Clubs with the best of the ordinary ones;‡ the tables of the mortality of the members of the Temperance Provident with that of the common Life Assurance Societies; all bring us to this conclusion as to relative sickness and mortality per cent.

TEETOTALERS, 1; Careful Drinkers, 2; *Intemperate*, 4.

It has long been noted that the London Bills of Mortality show a rise and fall in deaths corresponding with the consumption (as that with the price) of spirituous liquors. For example, from 1741 to 1743 inclusive, the deaths exceeded the births by 41,094. This was during the Gin-mania (§ 52). But from 1751 to 1753, when *heavy duties* had been imposed on spirits, the deaths exceeded the births only by 15,346. A corresponding decrease in the spirit-excise had taken place. The Distilleries in 'full-blast' had destroyed 25,748 lives more in the former period of three years, than the Distilleries 'restricted' had been

\* "What more foul common sin among us than drunkenness? Who can be ignorant, that if the *importation of wine* were forbid, it would both clean rid the possibility of committing that odious vice, and men might afterwards live *happily and healthfully* without the use of intoxicating liquors."

† Detailed by Lieut.-Col. SYKES in the *Statistical Journal*.

‡ Vide Mr CLAY'S Table in the *Preston Sanitary Report* (Health of Towns' Commission. 1st Report).

allowed to do in the latter. In the former period, 16,473 persons perished in London of fever: in the latter period, only 7581—a diminution of nearly 3000 cases annually. (The births varied but slightly.) The Act of 1751, then, by lessening the consumption of spirits, saved in three years, in the Metropolis alone, not less than 25,748 lives. It is worthy of observation also, that, in the first period, the deaths by excessive drinking were 43 annually; in the second period, only 16—a sufficient indication of general improvement.

Nor are these isolated cases, or mere coincidences. As far as statistics enable us to go, the fact seems to be invariable. The general mortality, and the deaths by fever, so greatly curtailed by the partial restrictions of 1751, were still further lessened by the *total prohibition* of Distilling from March 25th, 1757, up (with an interval) to April 25th, 1760, when the duty was increased. We tabulate the results for comparison:—

| YEARS.  | EXCESS OF DEATHS<br>OVER CHRISTENINGS. | DEATHS BY FEVER. |
|---------|----------------------------------------|------------------|
| 1755-7  | 20,001                                 | 8,190            |
| 1758-60 | 13,597                                 | 6,922            |
| 1761-3  | 27,098                                 | 9,613            |

The same fact of connexion between a florishing Traffic and an increased mortality is shown by taking the consumption of Spirits over a lengthened term of years. Thus:—

| YEARS.                                | GALLONS OF<br>SPIRITS DISTILLED. | EXCESS OF<br>BURIALS OVER<br>BAPTISMS. | DEATHS BY<br>FEVER. |
|---------------------------------------|----------------------------------|----------------------------------------|---------------------|
| 1711 to 1720                          | 2,861,530                        | 6,707                                  | 3,626               |
| 1721 — 1730                           | 5,281,637                        | 9,289                                  | 3,968               |
| 1731 — 1740                           | 8,053,543                        | 9,661                                  | 3,482               |
| 1741 — 1750                           | 11,266,695                       | 10,894                                 | 4,351               |
| 1751 — 1760<br>or prohibition period. | 3,734,600                        | 5,670                                  | 2,565               |

On comparing the first term of ten years with the last, it will be seen that some general sanitary improvements must have been taking place in London, the effect of which had been hidden by the predominating influence of the Traffic in the intermediate half-century, but which now assert themselves.

When, in 1826, the consumption of Spirits became doubled, as the consequence of reduced duty, the *deaths* in England and Wales increased by 13,143.

From June, 1808, to December, 1809, the distilling of whisky from Corn was prohibited in Ireland, and, of course, the consumption greatly decreased. What followed in DUBLIN? In those years, the patients admitted into the Fever Hospital, in Cork Street, were 1,071 and 1,051: but in 1810, when the pro-

hibition ceased, the patients increased to 1,774.\* At the Sick Poor Institution, in Meath Street, there were, in 1808-9 respectively, 8,139 and 8,069 patients admitted : but, in 1810, the admissions were 9,075.†

As to Mortality, Dublin gives similar evidence to London. The *Dublin Journal*, of December 31st, 1757, and *Sleater's Dublin Gazette*, for January, 1761, December 30th, 1758, and January, 1760, have preserved the following facts :—

| Distillation Licensed.      |         | Distillation Prohibited. |         |
|-----------------------------|---------|--------------------------|---------|
| Years.                      | Buried. | Years.                   | Buried. |
| 1757 .....                  | 1926    | 1758 .....               | 1358    |
| 1760 .....                  | 1993    | 1759 .....               | 1752    |
| 3919                        |         | 3110                     |         |
| A difference of 809 lives ! |         |                          |         |

In WATERFORD, the admissions in the Fever Hospital for the years of prohibition averaged 189, but in 1810 they increased to 410 ; while the patients admitted into the Dispensary rose from 4,227 to 5,708.‡

In the City of Glasgow, in 1821 and 1822, the average deaths were 3690 : but in 1823, when the duty on Spirits was greatly reduced, the deaths rose to 4670.|| In other words, the mere *expansion* of the Traffic killed, in that year, 980 people in one single city of Christendom !

ESKILSTUN, in Sweden, with a population of 4000, is equally notorious for its drinking and its mortality. Professor HUSS found, that of the whole number of males, one in 30, and of females, one in 40, died yearly ! In the district of Jemtland, where comparative 'moderation' prevails, the mean annual deaths are but one in 78 of the males, and one in 82 of the females.§

The loss of labor, general and domestic, and the cost of attendance, medical and other, involved in the system exposed, is absolutely incalculable. Our method gives the simple aggregated result of Disease in various forms ; but it speaks of dyspepsia, dropsy, liver complaint, bilious fever, rheumatism, and chronic affections of the kidney and the brain ; and, lastly, of the fatal, insidious phthisis !

LIPPICH, in his work on *Vital Statics*, states that the result of enquiries into forty children of intemperate parents was, that six only could be in possession of vigorous health ; while two-thirds of that offspring, which would have followed in the case of sober

\* See Report for 1817, p. 56.      + See Report for 1817, p. 5.

‡ See Report by Dr BRACKEN, 1817, p. 13. Cited by the author of the *Inquiry*, etc.

|| In 1821, according to *Porter's Progress of the Nation*, &c. ch. iv., with a duty of 6s. 2d. per gallon on Spirits, the Scotch consumed per head, 1.14 gallons ; but in 1831, with a lowered duty of 3s. 4d., the consumption had reached 2.41 per head.

\* *Om Sveriges Endemiska Sjukdomar*, p. 119. Stockholm, 1852.

parents, were withered in the womb ! To license the Traffic, therefore, is virtually to legalize the worst form of infanticide. Truly, did JOHN WESLEY declare, that the Traffickers are ‘Poisoners General.’

§ 114. The second class of disease wholly engendered of the Traffic or promoted into virulence by it, is shown in a variety of ways. According to LIPPICH, of 100 drunkards whose career had been minutely traced, fifty-two had perished *within four years* ! This means erysipelas, mortification in hospitals, acute fevers, apoplexy, fatal fits, exposure to cold, ‘found dead,’ and the strange verdicts entitled “Died from the Visitation of God,” as well as the ‘*delirium tremens*’ and ‘*Intemperance*’ which are the sole acknowledged fruits of the Traffic in the Tables of Mortality.\* Yet we learn from the Registrar General’s Annual Report, that under the last two items were included, from 1838 to 1842, in England, not less than 2,044 persons !

Mr NEISON, the actuary, has shown that the mortality of drunkards at the ages from 21 to 30, is *five* times, and from 31 to 50, *four* times greater than the rest of the community, at the same ages.† He allows that, at the very least, 1 in 74 of our entire male population is an acknowledged, *completed* drunkard ; and he shows that at the ages

Between 41 and 50, there is 1 out of 16 who dies of drink.

31 and 40,      “      1 out of 21      “      “

”      51 and 60,      “      1 out of 22      “      “

LIPPICH found that *all common disorders became aggravated through drink, by tendencies to a nervous or putrid type, with rapid sinking of the strength.*‡

\* *Two-thirds* of the deaths absurdly ascribed by unscrupulous Juries to ‘*Natural causes*,’ are cases of poisoning by gin, ale, or other alcoholic mixture. The relatives of such parties often strive to conceal the truth, and thus make the inquest a mockery ; and this under pretence of loving regard for the dead ! These persons, who do not care for the *victim* so much as to deny themselves of ‘a glass now and then’—are only sensitive as to the *publication* of the fact ! An instance occurred at an inquest at Rochdale, June 9th, 1856, on the body of L. J. Hunt, cut off in the prime of life, by what the Jury blasphemously called ‘*Natural causes*’—viz. *ale and spirit drinking* ! The surgeon deposed, that on the *post mortem* examination, he found “the lungs diseased, the right lung congested, with an effusion of two or three quarts of bloody-serum in the left side of the chest, and some threads of lymph, the result of inflammation. The heart was flabby, with *more fat than usual*. ‘The liver was extensively diseased, and indicated *very free living*. The stomach was unhealthy—the mucous membrane indicating inflammation, as the result of *stimulants*. The color of the liver was clearly such as was caused by stimulants.”

No doubt, chronic pleurisy and effusion, producing asphyxia, were the immediate cause of death—but it is equally certain that these conditions were induced by *drinking*. Of all such cases, far more numerous than the others, the register gives ‘no sign’—and Society, with a selfish hypocrisy, seeks to hush up and ignore them.

The London papers of August 5th, 1856, narrate an inquest on the body of R. LOCKHART, a private in the Scots Greys, who died suddenly on the march from Farnham to Wokingham. The fatigue and distress he experienced, he himself had attributed to having been up all night *drinking*, in the company of two women ; and the *post-mortem* made by Dr LLEWELLYN showed the lungs gorged with blood, and led the doctor to tell the jury that the deceased had died of “suffocation, produced by excessive drinking.” Nevertheless, the jury found that the deceased had died from suffocation brought on by ‘*over fatigue*,’ from a compulsory march under a burning sun.—This is solemnly lying in the face of the sun.

+ *Journal of Statistical Society*, xiv. p. 200.

‡ Our attention has just been called to a paper on ‘*The Vital Statistics of Strong*

"A scratch on the finger," says Dr W. A. F. BROWNE, "precipitates the fever of drunkards; and if he survives the danger of typhus, he escapes with the loss of memory, and remains an imbecile for months."\*

Dr GORDON, of the London Hospital, says he kept an account of the causes of disease for twelve months:—The result was, that nearly three-fourths were found to be *strictly* attributable to the effects of spirits, after every possible allowance had been made. "The result was 65 per cent upon some thousands. The conclusion of experience is, that very nearly *two-thirds* of the diseases among our countrymen are referrible to the noxious influence of ardent spirits."†

In the great Fever which raged in London, in 1739,—the era of the gin-mania,—the Drinkers were the first and greatest victims. Dr SHORT observes:—"The like was the fate of all tipplers, dram-drinkers, and punch-merchants,—scarcely any other died of this severe fever."‡

The Asiatic Cholera, too, singles out the drinker with fatal precision, where it leaves the sober generally unscathed. So well known was this fact, that the authorities at Philadelphia closed the grog-shops as a *nuisance* to the public health (§ 81). In Albany, the same year, it was found that while only 1 in 2500 of the teetotalers were seized, 1 in 60 of the general population perished. The *Volksvriend* for August, 1854, states that "out of 900 persons who died in Rotterdam last year from Cholera, only *three* were abstainers." It is the same at home. In Newcastle, within a period of two months of the ravages of Cholera, it struck down one drinker out of 56, of course a far greater proportion of drunkards; but only 1 in 625 of the teetotalers. It was found, throughout the country, that it always broke out afresh after a *festive* occasion, when the people consumed a little more drink than usual. With an accumulation of such facts before him, the Registrar-General was fully justified in issuing the following emphatic warning in one of his Reports.

"A person drinks to excess, in a few hours he is suffering from diarrhoea;

Drink," by the Rev. DAWSON BURNS, which appears in the *Temperance Chronicle* for July, 1856, drawn up with great care and skill. He arrives at a conclusion which, we believe, is far *under* the truth; exhibiting the annual loss of life of the United Kingdom as follows:—

|                                                |        |             |  |
|------------------------------------------------|--------|-------------|--|
| By intemperance directly .....                 | 27,050 | Total ..... |  |
| By its sequences, (as disease, accident, etc.) | 20,351 |             |  |
| By limited drinking .....                      | 6,982  | 54,323      |  |

The latter item falls very far short of the reality, as the statistics of COL SYKES prove. Add to this National Loss of Life, the terrible acquisition of Crime, and in connexion with these two items alone, it is but the bare statement of naked fact to affirm, that the Traffic creates an army of Criminals more numerous and costly than our army of Soldiers, and inflicts upon our citizens *annually* a Mortality *ten-fold* greater than that which our army suffered in its *two years' campaign in the Crimea*, from the carnage of battle and the fatality of pestilence combined!

\* *On Intemperance and Insanity.* Edinburgh, 1852.

† *Report on Drunkenness*, 1834, p. 195.

‡ *Chronological History of the Seasons*, vol. ii, p. 251. London, 1759.

and the disease runs through its stages to a fatal termination. When cholera is at the door, temperance in the use of intoxicating liquors, AND AN ALMOST TOTAL ABSTINENCE FROM GIN AND OTHER SPIRITS, BECOME EXTREMELY NECESSARY FOR THE PRESERVATION OF LIFE."

It is the same with *Fevers*, typhus, yellow fever, and others. Dr CAETWRIGHT, of New Orleans, writes in 1853, to the *Boston Medical Journal* :—

"The yellow fever came down like a storm upon this devoted city, with eleven hundred and twenty-seven dram shops in one of the four parts into which it has been divided. It is not the citizens proper, but the foreigners, with mistaken notions about the climate and country, who are the chief supporters of these haunts of intemperance. *About five thousand of them died before the epidemic touched a single citizen or sober man, so far as I can get at the facts.*"

The *Bristol Mercury*, of the 17th September, 1853, says :—

"The ship *Louisa*, Captain Reece, from this port to Demerara, has returned with all the crew in good health, not having lost a single man, although the yellow fever is raging in that country to an unparalleled extent. The Captain, with great discretion and kindness, supplied his crew constantly with fresh meat and quinine each day, and issued no spirits. By these judicious means the whole escaped the fearful disease."\*

The *Report on Cholera*, from the College of Physicians, speaking of the proved prophylactics and counteractives, has the following significant passage :—

"Free Ventilation is, perhaps, the most efficient means of destroying the *Cholera Poison*." But free ventilation really signifies pure, oxygenated blood. Now, as PROUT long since, and LIEBIG more lately, have shown, (and their experiments have been confirmed by VIERORDT, DAVY, BÖCKER, and LEHMANN,) the action of Alcohol on the respiratory function is to stop the excretion of carbonic acid to an extent always corresponding to the amount imbibed. Hence, to use the most expressive phrase we can devise, *Alcohol robs the blood of oxygen, lowers vital heat, and thus necessarily predisposes the system to zymotic disorders and plagues.* In the case of the liberal drinker, the danger is frightfully aggravated. Professor ADAMS, then, was quite right in proposing to call every dramshop by the name of a 'Cholera-shop'—the disease being, to all intents and purposes, dispensed with the dram. This brings us to an important principle of jurisprudence. The Report of the College of Physicians says :—

"From among the great features of a cholera epidemic three stand forth as of paramount importance: one, the undoubted influence of locality and of the sanitary condition of towns and dwellings on the degree of severity with which the epidemic visits them; a second, the equally certain influence of season and temperature, together with some unknown condition of the atmosphere on the general prevalence and rate of extension of the epidemic; and a third, the share taken by human intercourse in deter-

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\* For numerous illustrations, see *Works of Dr Lee*, Vol. i. and iii. Carpenter's *Human Physiology*, 5th Edition, 163—65.

mining not only the progress of the epidemic, and the direction of its advance across a continent, but also its extension from continent to continent, and most probably its communication from one locality to another.

"Now, with regard to the *first* of these features, there cannot be a doubt with regard to the action it calls for, as the duty and interest of every portion of the community. The more fortunate classes are, it is true, exposed to proportionately little danger, since they are often able to leave the neighborhood of spots in which the disease is raging, and usually dwell in the more elevated, open, and airy parts of towns, and in more spacious, cleanly, and less crowded houses.

"But it is also true that *the power of the disease through a town is increased in proportion to the degree in which the conditions of insalubrity are present in various parts of it*; and not merely the poor (who live in the spots where moisture and foul air feed the cause of the disease), **BUT ALL THE INHABITANTS ARE EXPOSED BY THE EXISTENCE OF THESE EVILS TO A GREATER RISK OF BECOMING ITS VICTIMS.** And further, it is certain that the more intensely the epidemic prevails in a large town, *the more does the whole district for miles around suffer*, and the more danger is there of its being propagated to other districts.

"By improving the drainage of low parts of the town, opening close courts, thinning the buildings in the more crowded parts, putting a stop to the burial of the dead in large cities; *by improving the dwellings of the poor in respect of ventilation, giving them the means of maintaining a due warmth in their rooms without excluding the external air*, and affording them the most important requisite, an abundant and constant supply of good water, by means of which they may attain cleanliness;—it cannot be doubted that the public authorities would not only lessen the ravages of the disease amongst the people dwelling in the localities thus improved, but also greatly weaken the force of the epidemic over a far wider space. All these things should be done before the pestilence comes, and in the time of its presence it would further be wise to *enforce cleanliness and ventilation even in the interior of houses*, by the removal of all obvious dirt, and the thorough cleansing of every surface of wall, floor, or ceiling, with the unsparing application of lime and of disinfecting liquids, the washing of furniture, and the exposure of it to the open air, *the destruction of foul clothes, even of those worn by inmates of the house who are yet healthy*, as well as those which belonged to the sick,—all these measures *might reasonably be enforced* during the winter, since at that season so great a result as the entire eradication of the pestilence might possibly be attained."

In the Traffic there is an agency that promotes *all* the causes of disease *which infect a neighborhood*, and others not stated by the College Report. The body is a living house, and the Traffickers are engaged in the work of *Poisoning it*. It matters not to *us who are injured or emperilled*, whether they do it at the request of the Drunkard, or whether they even *believe* it to be such a process as we have described. Sanitary Reform ought not to wait upon the conviction of those who are ignorant, filthy, and vicious; for will *their believing in the innoxiousness of putrefying matter or invisible miasms, save me or my child from the pestilential effects?*

A true State is bound to legislate according to its own light, and not according to the ignorance of its selfish or stupid members. The Traffic, then, tried by this Sanitary Test, must be condemned. It keeps within the living temple waste matter, and thus defiles it—it drains away the conservative forces that

resist the invasions of disease—it obstructs the natural *ventilation* of the vital chambers, and loads the blood with poisonous elements,—it lowers the flame and temperature of life—it expends the comforts of the people, and demoralizes *them* in circumstance and in soul,—and wherever it is established, it becomes a “fever-nest,” injurious to the health of the vicinity. The traffic, therefore, ought to be proscribed as a *Nuisance*: either suppressed by the moral energies of the state, or, after the fashion of quarantine in infected districts, those who *will* drink and sell should be exiled to a district by themselves, and a *cordon sanitaire* drawn around them, to separate, as it were, the living from the dead.

§ 115. The next topic naturally follows from the preceding. *Idiocy*, in fact, is the sin of the Parent visited upon the Children. That poison which, taken in excess, contracts life within the body of the mother, and transmits impaired and feeble constitutions to the unhappy offspring who *are* born, must, by natural law, affect the brain. Hence the frightful number of ‘*Naturals*’, as they are called by the country people, to mock the Civilization we profess, and to hamper our progress towards a true one.\* A Viennese Physician, Dr. BEENACKL, now of New York, told the writer, as an illustration in point, that he had in youth a friend, a Doctor to one of the Austrian Regiments, who possessed the finest intellectual endowments and moral character at the time of his marriage. His first son was a noble, healthy fellow. But the appetite for drink had been engendered, and he went from bad to worse. He had five other children: but of these, one was imbecile, and all the rest absolutely idiotic! Dr. Howe, in his celebrated *Reports on Idiocy*, states that, out of 300 idiots whose history he could learn, 145 had free, habitual drinkers for parents. He names the case of one drinker who had seven idiotic children. The harvest of Idiocy and insanity that we are now reaping was in part sown in the debauchery of the last century; and we shall require a generation of Temperance to get rid of the crop. EDWARD OXFORD, who shot at the Queen, was the grandson of a man who made himself insane with drink, and who transmitted the warp to two of his children. One son was insane for awhile: the other, the father of Edward, *always*, though not confined. He, too, was alternately drunk and industrious, and often violently assaulted his wife. During her second pregnancy, he starved and maltreated her, and grinned and jabbered in her presence like an ape. The child was an idiot, with contorted, apish features. In her fourth pregnancy, his conduct was atrocious. Once he fractured her head with a quart-mug. The would-be regicide was born—imbecile, wayward, partly capable of education, but destructive and un-

\* Out of 1007 cases of crime, 11 are ascribed to ‘*weak-mind*’—only 10 to Idleness and Want together. See *Reports of Prisons*, 1841, N. and E. district, p. 68.

trustable. In the sister country of Ireland, where spirits are so freely used, we find that there are no less than 4,906 of these unfortunate victims of sin (chiefly the fruits of the Traffic) in the Pauper Asylums and Workhouses.

Dr W. S. HALLARAN, in his *Observations on Insanity*, published at Cork in 1818, pointed out the growing addiction of the people to whisky, as one of the permanent and increasing causes of insanity—and observes that “he is not singular in remarking, that a vast proportion of our most useful artizans and industrious poor have been untimely sufferers from this extensive growth of human depravity.” The Superintendents of several of the Pauper Lunatic Asylums, in reply to queries, have distinctly stated that from *one-third* to *one-half* of their patients had been made by whisky-drinking.\* At the Cork Lunatic Asylum, says Dr HALLARAN, out of 383 male patients, 103 had been deranged through the use of whisky.†

§ 116. There is, however, another kind of idiocy—*Dementia*—which we may call the *self-inflicted*. If the first was a fruit of guilt, this is of its very essence. Deliberately to annihilate the powers of mind and body is at once the highest crime against society, and the deepest sin against self. It is more than converting oneself into a lazarus or a brute: for, in the process of mental extinction, the drinker passes through so many stages of excitement and fury as to endanger the life and disturb the happiness of others. But how can Society consistently rebuke him? how can it prohibit the process and the termination, while itself *licenses* the agent and machinery that impels to them? The end is ‘drivelling *imbecility*’ to the sinner and the victim, ere the curtain falls: cost and confusion to the community which aids and abets him.

§ 117. Dr W. A. F. BROWNE, of the Crichton Institution, Dumfries, in some admirable papers, has ably investigated this question. He observes, as the result of his enquiry:—“The conclusion that 19.57, or nearly *one-fifth* of the cases of derangement which break up the peace of families, and over-people asylums and workhouses, is owing to intemperance and dissoluteness, appears so frightful, and so *fraught with suggestion of the rottenness of the frame-work of society*, that we are fain to regard the picture as descriptive of another age. But no: even

\* *Inquiry into the influence of Spirituous Liquors*, p. 60. *Dublin, 1830.*

† It may be noted, that while on the Continent, as at Paris, Milan, etc., the insane Females outnumbered the Males; in Ireland the reverse holds good. This proves, either that a *peculiar cause* of insanity operates in the male population of Ireland—where the women certainly do not drink whisky like the men, and are not so exposed to the temptations of the Public-house,—or that the women of the Continent indulge more universally in *home*-drinking of wine, or *eau de vie*. This may be illustrated by the case of Scotland, where, notwithstanding a greater amount of education, there is one *female* to 1343 females committed for crime, to one in 1565 in England. The explanation is the fatal temptations furnished to female dram-drinking by the sale of whisky in grocers' and confectioners' shops.

darker colors, and a more lengthened and gloomy perspective must be employed." He adds :—"The victims from all causes multiply ; but the victims from intemperance multiply in greater measure."

Lord SHAFESBURY, at Manchester, November 24, 1851, said :—

"Here I speak of my own knowledge and experience, for having acted as a Commissioner of Lunacy for the last 20 years, and having acted as Chairman of the Commission during 16 years, and having had, therefore, the whole of the business under my personal observation and care ; having made enquiries into the matter, and having fortified them by enquiries in America, which have confirmed the enquiries made in this country—the result is, that *fully six tenths of all the cases of insanity to be found in these realms and in America, arise from no other cause than from the habits of intemperance in which the people have indulged.*"

The bare figures of this question, putting aside all theories, bring out a most remarkable proposition,—*that insanity in every country corresponds in the main to the use of intoxicating drink.* We begin with a teetotal country :—

| Population to one deranged Person.                     | spirits<br>Consumed<br>per head. | Gallons. |
|--------------------------------------------------------|----------------------------------|----------|
| In Cairo, there is one lunatic, or idiot in .....      | 30,714                           |          |
| „ Spain .....                                          | 7,181                            | 1        |
| „ Italy .....                                          | 3,785                            | 2        |
| „ Holland and Belgium .....                            | 1,046                            | 3        |
| „ France, Northern parts .....                         | 1,000                            | 3        |
| „ France, Southern and soberer parts .....             | 1,500                            | 2½       |
| „ Normandy, (least sober province) .....               | 700                              | 3        |
| „ Brittany, (temperate) .....                          | 3,500                            | 1        |
| „ Wales .....                                          | 911                              | 2        |
| „ England .....                                        | 713                              | 3        |
| „ New York State, (City more) .....                    | 780                              | 3        |
| „ Sweden .....                                         | 710                              | 5        |
| „ Scotland, (educated) .....                           | 579                              | 3½       |
| „ Norway, (educated, and social condition good). ..... | 551                              | 4        |
| „ Ireland, (other causes also) .....                   | 500                              | 4        |

It should be observed that the Public Statistician can never ascertain the *true* causes of madness, especially in the more-modified cases, connected with *intemperance* : and, therefore, his estimates are under the mark. Moreover, there is no account taken of the *partial imbecility*, and of that disturbance of moral balance,\* so deeply connected with crime, unhappiness, and misfortune, operating over a still greater number, and springing from the same source. It is argued by some theorists, that the *excitements* of civilization are the chief causes of insanity. No doubt this is true—but, then, it is only an abstract proposition.

\* The case of DOVE, of Leeds, who poisoned his wife, is one in point. The child of very pious parents, religiously educated, he acquired the *habit* of drinking, and constant *sooting* converted him into a *moral maniac*, even if intellectual deficiency had not been constitutional.

What real things does 'excitement' involve? Want of excitement, again, is another cause; and what will they make of that? The truth, drawn out, is just this—that *bad* excitements, and good excitements in excess, disturb and ultimately destroy the *autocracy* of the soul. But how? By their action on the *brain and nerves*—by their draining away its power, and destroying the organs of reparation. But in this calculation, why do they *omit* the excitement which is produced by a physical narcotic and nervine like Alcohol, taken to the extent of three, four, or five gallons in a year?—one, too, that has a peculiar affinity for the brain! Nor should it be forgotten, that *nearly all other* excitements incident to civilization are sustained, nay *provoked*, by the drinking habits. Alcohol operates, therefore, in a double way in producing insanity—it *energizes* transiently the dangerous passions, and, while increasing their imperious rule, saps and weakens the moral will.\*

The traffic, then, is not simply the occasion of one insane person's insanity or idiocy, out of every five we meet, by *direct temptation and participation*, but also the *exciter* of the dormant seeds, the disturber of the nicely balanced will and passions, in three out of the remaining four. Dr JOHNSON saw this truth in the case of poor COLLINS, the poet, when he remarked that, "with the usual weakness of men so diseased, he eagerly snatched that temporary relief, with which the table and the bottle flatter and seduce," and thus *developed* the fatal tendency.

Savages have all our passions, and ungovernable enough. Yet savages don't go *mad*. Turks, Arabians, Egyptians, have excitements, and lusts, and sufferings, but they don't go mad. Are we to believe, then, that *Civilization* is the cause of our madness? That the equalizing of human destiny, the spread of comfort and independence, the development of mind, has any necessary connexion with insanity, or inherent *tendency* thereto? When we sent the Traffic to the American Indians, they, too, went mad, and have now been well nigh extinguished. Unfortunately, also, we *kept* the Traffic at home—and we continue to go mad. That civilization may triumph, unimpeded, destroying mental disease, or making it manageable, we must destroy the Traffic!

§ 118. Go to another phase of the subject—examine into the facts and psychology of the question—and we shall be at no loss to understand the increase of *Suicide*. Nearly 500 such cases, annually, in London alone! Let us take exceptional and *sober France*—people have curious notions about 'sobriety'—everybody being sober who is not beating his wife at home, dead drunk in the gutter, or riotous in the police-office! In the Northern

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\* How strikingly this is exemplified recently, in the fact stated by official authority, that the withdrawal of *part* of the grog rations from the Mediterranean fleet has been attended by a most obvious improvement, not only in health, but in discipline—not half the former acts of insubordination having occurred.

departments, we find, in a total of 14,745 cases of madness, 1,024 are ascribed to wine and brandy drinking.\* But this has relation to another fact, if possible more frightful. In France, in 1841, out of 2,814 cases of suicide, 185 are expressly said to have committed the fatal act, either while drunk, or after drinking. This shows drunkenness, even there, to be the most frequent of the known causes of Suicide, with the exception of domestic grief and physical pain. Probe these, again, to their causes, and drink takes first rank. People confound motives with causes. A man destroys himself under a certain *notion or impression*. Now, that is the insanity—but perhaps DRINK is the cause. Moreover, a sober man has grief—but does not sink into melancholy, and ultimately become a suicide; the drinker, under the same circumstances but one, does. What is the cause of the difference? Sobriety or Drink. Of 38 cases of Suicide carefully reported at Aberdeen, it is said that the 'causes' were Insanity, Disappointed Love, and Family Quarrels (vexation); but it is added, that twenty were *intoxicated* before the act, and seventeen were habitual drunkards. In plain English, the Traffic makes its customers unfit, either to do the work of Life, or to bear its ordinary chances and reverses. Out of 218 cases of suicide in Berlin, the causes of which were ascertained by Dr CARPAR, fifty-four were produced by dissoluteness and intemperance. In the peaceful community of Geneva, out of 133 suicides, 10 were perpetrated by drinkers. But Dr BROWNE has collected the history of 1,222 cases of suicide, taken as they came, at random, and he finds that 158 sought death under the influence of Drink; four committing the act in an unconscious state. Intemperance, the suicide of the soul, is the rife parent of the other!

Go, search the hospital's unwholesome round,  
The felon's dungeon, and the maniac's cell,  
The workhouse cold, the church-yard's dreary mound,  
And learn what Suicide's history can tell.  
Ask, what does most the stream of victims swell?  
And Truth shall answer, with a look forlorn—  
INTEMPERANCE, greatest curse since Adam fell,  
Parent of ills, Perdition's eldest born;  
Dark cloud without a bow—a night that knows no morn.

\* ESQUIROL's analysis of 132 cases of *Mania*, gives 18, or 1 in 11 to drunkenness which is double the proportion produced by fever, and ten times that of Apoplexy. Again, comparing it with moral causes assigned, while jealousy excites 13 to madness, wounded pride and vanity together 23; misery 19, excessive study 10, excessive drinking yields 18. In 181 cases of *Dementia*, or fatuity, six, or 1-30th, were traced to drink. But then many of these are assigned to monomania; and, as we have just seen, drink had a large share in that: and fatuity is obviously the end of a course of dissipation. CALNEIL gives the history of 62 cases, 20 of which were the result of intoxication, and 11 of sensuality. But again, 9 cases out of 10 of sensuality are connected with drinking. In a table by ESQUIROL, out of 372 cases of *Melancholia*, 55, or 1-7th, are attributed to libertinism or intemperance. Of these 55, no less than 19 resulted from intoxication. In a report published by the Commissioners of Lunacy, the number of Lunatics is stated, for England and Wales, at 20,516. Of those, again, 2,526 were cases of inherited madness; and 2,335, causes unknown. Of how many of these, then, must drink have been the cause?

§ 119. We now approach the last of the general counts of our indictment against the Liquor Traffic—that it is the great promoter or producer of OFFENCES and CRIMES. It is so, in various ways. First, it deals out the material which, by necessary law, tends to the production of an indolent, violent, and criminal disposition. Second, it not only affords facilities for drinking, but it always has employed, and still does employ, every conceivable kind of *seduction* to increase the consumption of that material. This has been demonstrated again and again, in the preceding survey and argument, and we only reproduce the fact here, for the sake of formal completeness. The machinery has worked in the way affirmed, in spite of all regulating law; and we have only now to show what it has done in the direction indicated. The special offence of 'Drunkenness' has already been considered.

First, let us take a glance at some *Statistical Facts*, which illustrate the connexion of complicity and cause, between the Traffic in Strong-drink and the Turpitude and Crime of the country.

We say 'some' facts, because statistics, as selected and worked by our *Economists*, are very often only so many arithmetical examples of complicated fallacies. They seem to think it quite enough to sow figures and reap sums! Now figures, like the facts they ought to express, require a *rational* treatment: the law of *Induction* must be applied to them to get out their true meaning; or, in other words, certain elements must be eliminated, and certain *facts of connexion* established, before the figures are of any value. Figures, for instance, cannot prove that drinking causes crime: they can only show that, with much of drinking there is also the *coincidence* of crime. The same may be said of other social conditions. It is *observation of the working of strong drink*—and the previous knowledge of the history of the criminal—that can alone prove that drinking engenders crime. And when this is proved, no statistics can disprove it, and dissolve the *nexus*—they can only confirm it, or further establish the extent of its operation. A sound 'philosophy' must precede the figures, control the treatment, and interpret their meaning. All figures, again, must be *analyzed*—so that we eliminate extraneous circumstances or differing elements—otherwise we but deceive ourselves. For example, a writer might assert that *not* drinking, but the *price of bread*, determined the crime of the country. Now, no doubt, there is a certain *border of crime*—a *margin of criminality*—that does enlarge or narrow with the price of food, which in turn indicates social prosperity or distress. It might be proved, perhaps, in some years, or even series of years, that *while more drink was consumed, less prisoners were confined in prison*. Hypothetically, we say, this is possible: but all the statistics in the world could not disprove the *fact*, that drinking necessarily tends to foster crime. Whatever the quack might say, the philosopher would *not* predicate, "So much the

worse for the *fact*," but rather "So much worse for the *figures*"—and proceed to analyze the source of the palpable fallacy. In the case supposed, we perceive at once a possible explanation—what elements are deficient, and what ought to be eliminated, before the figures are worth a single fig. *Many fineable offences* (and sometimes these amount to 40 per cent) are *equivalent in poor times to imprisonment*, since the offender cannot pay; in "good times" he or his friends *can* pay, and therefore he does not swell the list of criminal *commitments*: and thus returns made out without reference to a 'philosophy' of statistics, may be but a series of stupidities, altogether misleading: for, in the case supposed, as the poor year *must* be that of diminished drinking, and the good year that of augmented drinking—the figures would show (if they showed anything save the folly of the compiler)—that *drinking promotes order and morality!* In such a case, all *fineable* offences must be eliminated to make the committals an index of the proportion of offences. We shall, therefore, select such statistics as are simplest in their character.\*

§ 120. To begin with 'IRELAND and the Irish.' The peculiar character of the people, their excitable temperament, and unfortunate historical experience, will afford a special lesson. (§ 39-44). The common people have correctly designated the excitement produced upon them by the *oratur*, as 'mad with whisky'; and it is a striking proof of the power of the drink to obliterate conscience and perception, that any one should be found to defend a trade in temporary, any more than permanent, insanity. Mr Serjeant LLOYD, before the Lord's Committee on the state of Ireland in 1825, assigned "the easy access to spirits" as the chief predisposing cause of the *peasant disturbances and agrarian outrages* in county Limerick (p. 31).† The leaders of the Insurrection in 1798,‡ well knew the effect of whisky, and therefore, in the Address to the United Irishmen, imposed as a *test*, abstinence from Spirits; though the ostensible object was

\* In the *Economist* of the 21st June, 1856, the statistics of the Rev. JOHN CLAY are quoted, and an attempt is made to show that material prosperity, and not sobriety, is the *regulator* of crime, the latter being great when the former is low, and contrariwise. The writer confines himself to a certain class of crimes, omitting *Summary convictions* and *fineable* offences. He makes no enquiry how far the destitution which incites to legal offences has intemperance for a foster-mother. When all the chaplains, of *all* the gaols, unite in the same conclusions, Mr CLAY can afford to be depreciated by a writer who looks to the fluctuating and *proximate* causes of a small part of crime, rather than to the bulk of it, and to its primary and permanent sources. Deduct from the crime of our country that large portion consisting of Drunkenness, and of offences committed under the *direct* influence of drink, and that larger portion that would never have been perpetrated, had drink not been consumed by the agents of crime, their relatives, or their victims; and *how much would be left as the result of 'natural' passion, robbery, and unavoidable distress?*

† This reminds us of LALOR SHIRL's metaphor, and the reply which it provoked, "Ireland," said the orator, "as a source of inquietude, is to England what Vesuvius is to Naples." Mr STANLEY wittily retorted—"Ay, and from the same cause of mischief—the crater."

‡ *Vide Report of the Committee of Secrecy, in 1797. Ibid. 1798.*

the injury of the excise, and the cheapening of bread. When all had been arranged, however, the use of spirits was allowed ; and, in that season of violence, 1798-99, we find almost a *fourth more* whisky consumed. So, at the great election for the county Clare, 1828, the use of whisky was effectually disconcerted, with the happiest results. But the prohibition (in part) of distillation, from 20th June to 31st December, 1808, and from 13th March to 31st December, 1809, was a national demonstration of the truth. Whisky rose from 8s. to 18s. the gallon, which, of course, placed it beyond the reach of multitudes. *At once* a marked improvement in the manners of the people took place, sobriety and order supplanting riot and debauchery. (See § 70). The nightly commitments to the Dublin watch-house decreased in an extraordinary measure. Again, in 1810, when the prohibition ceased, “the commitments increased *nearly four-fold*” ; and the fact became so striking as to induce the Lord Mayor and Magistrates publicly to notice the circumstance, and direct attention to its cause (§ 44). In the prohibition period of 1798-9, not a single death by intoxication is registered ; but in 1811, we find the two Coroners of the City, under date of “May 11th,” certifying to Parliament\* “that the deaths “occasioned by drinking spirituous liquors have greatly increased “within the last twelve months ; and that we consider it owing “to the reduced price of whisky, that has *tempted the working* “classes to such destructive consequences.” So, again, when the distilleries were stopped from 8th February, 1812, to September 1813 (by 53rd George III, c. 145), crime stops too : when they revive to their work of destruction, crime revives with them. The following are from the Police returns :—

| Years. | No. of Prisoners. | Years. | No. of Prisoners. | 1 <sup>st</sup> Years Decrease. |
|--------|-------------------|--------|-------------------|---------------------------------|
| 1811   | 10,737            | 1812   | 9,908             |                                 |
| 1814   | 10,249            | 1813   | 8,985             | 2,093                           |

Thus, even in years of want, a partial measure, merely rendering drink dearer, was attended with a reduction in crime of *one-sixth*, when, under other circumstances, it would have increased largely. We have still another illustration derived from a comparison of the years of Father MATHEW’s great success in reforming the people, with *ordinary* years of intemperance.

In the year 1840, the Public-houses had been lessened by 237, within the police bounds of Dublin. On the 1st of September, 1839, the prisoners in Richmond Bridewell, Dublin, numbered 136 ; but in November, 1840, the number was *reduced to one-sixth*—viz. to 23. In consequence of 100 cells being empty in the Bridewell, the Smithfield prison was *shut up*.

The Governor of Maryborough gaol thus wrote on the 13th of November, 1841 :—

“Temperance has had the most desirable effects on the peo-

\* See Report of House of Commons, on Brewers’ petition, 1811, p. 12.

"santry in this part of the country. Peace in all places of public resort, such as fairs, markets, etc., has taken the place of disorder, riot, bloodshed, and murder. Very few crimes of a serious nature are now heard of; and in minor offences there has been a great decrease. The number of prisoners in gaol, 13th November, 1837, was 128 (Roman Catholics, 122); the number on this day, 98 (Roman Catholics, 73). This is a great saving; at £15 each, it amounts to £450 annually."

It was almost *exclusively* amongst the Roman Catholic peasantry that the reformation prevailed.

In 1837 and 1838, the average consumption of whisky per head was  $1\frac{1}{2}$  gallons: in 1840 and 1841, about 8-10ths of a gallon. What was the result? In his place in the House of Commons, the then Irish Secretary, Lord MORPETH, declared that "the heaviest offences, such as *homicides, outrages upon the person, assault with intent to murder, aggravated assaults, cutting and maiming*," had greatly diminished.

Proceed to a subsequent period, and observe how *Drunkenness* stands directly related to crime.

The years of Father MATHEW's triumphs were from 1839 up to the culminating era of 1845, when the movement began to decline, in part owing to emigration, in part to the natural subsidence of *all* great enthusiasms, but in 1847-8-9, to the desolation of the Famine and the Exodus. Those years, especially 1849, 1850, 1851, must, therefore, be put out of calculation as peculiar: but their results, (though the Table was cited against us by the *Waterford Mail* of May 3, 1854) are in the most perfect accordance with our theory, and with the historic explanation. When it is said that the licensed facilities measure drinking, and that drinking measures *crime*, we do not mean that drinking is the *only* factor in the business; or that the introduction of a new element will leave things as before. *Ceteris paribus* is to be understood of all comparisons in Sociology—is assumed in all enquiries into Causation. Moreover, we do not speak of 'drunkenness' as the great source of crime under ordinary circumstances; but we say that *drinking* is. Certain classes of *grave* crime are far more intimately connected with *excitement* and *perversion* than downright police drunkenness. In this Table, then, we find, over the series of years bracketed, that Temperance diminished cases of serious crime to the extent of *one-third* as compared with preceding, and *one-half* as compared with succeeding years. *Criminal drinking*, therefore, must have been lessened.\*

\* But, says the *Mail*, drunkenness was lessened only a little, and 'petty' offences increased. We answer: Not so! On the whole, they have increased (keeping out of view the famine period as exceptional); it would only show (what is quite plain) that *that class* of offences may be steadily augmenting, in consequence of a fixed social cause operating upon the people quite independently of drinking. For one year of the famine we can *ourselves* speak: the petty offences were truly 'petty.' We have seen hundreds in the gaols for no greater offence

| Years. | Petty Offences. | Drunkenness. | Crimes at Assizes<br>(and<br>Quarter Sessions.) |
|--------|-----------------|--------------|-------------------------------------------------|
| 1839   | 16,812          | 38,078       | 12,049                                          |
| 1840   | 15,261          | 28,227       | 11,194                                          |
| 1841   | 18,177          | 28,649       | 9,287                                           |
| 1842   | 17,009          | 17,396       | 9,874                                           |
| 1843   | 18,848          | 20,462       | 8,620                                           |
| 1844   | 18,887          | 24,362       | 8,042                                           |
| 1845   | 17,512          | 22,076       | 7,101                                           |
| 1846   | 16,695          | 23,282       | 8,639                                           |
| 1847   | 25,810          | { 15,406 }   | 15,233                                          |
| 1848   | 49,717          | 12,302       | 18,206                                          |
| 1849   | 63,586          | { 11,604 }   | 21,202                                          |

Mr PORTER, in his *Progress of the Nation*, remarks on the great fluctuations which have occurred with respect to four heads of offences—assaults, illicit distillation, riot and rescue, and misdemeanors not otherwise described. But take Convictions for OFFENCES AGAINST THE PERSON, as those at once most likely to arise from excitement, and to be least liable to fluctuation from varying social influences of an ordinary character, and we shall arrive, on an average of years, at a very noticeable result. We shall of course stop before the famine years, as that period was subject to a disturbing influence of an extraordinary nature.

| Six Ordinary Drinking Years, during which, exclusive of much illicit whisky, 70,913,546 gallons of British spirits paid duty.* |  |  | Six Less Intemperate Years, during which, with little illicit distillation, 42,006,190 gallons of spirits paid duty.† |  |  |
|--------------------------------------------------------------------------------------------------------------------------------|--|--|-----------------------------------------------------------------------------------------------------------------------|--|--|
| 1834 .... 5,962                                                                                                                |  |  | 1840 .... 2,584                                                                                                       |  |  |
| 1835 .... 5,832                                                                                                                |  |  | 1841 .... 2,324                                                                                                       |  |  |
| 1836 .... 6,099                                                                                                                |  |  | 1842 .... 2,128                                                                                                       |  |  |
| 1837 .... 2,631                                                                                                                |  |  | 1843 .... 2,172                                                                                                       |  |  |
| 1838 .... 2,710                                                                                                                |  |  | 1844 .... 2,093                                                                                                       |  |  |
| 1839 .... 3,156                                                                                                                |  |  | 1845 .... 1,869                                                                                                       |  |  |
| Total Crime of the First Class. 26,830                                                                                         |  |  | Total Crime of the First Class. 13,170                                                                                |  |  |

(The serious lessening of population after the famine and exodus, must be taken into account in estimating the subsequent crime of Ireland; and social and legal causes of the

than taking a turnip from a field to allay the pangs of hunger. In the years 1847-1850, also, the crimes of theft greatly increased, and for the same reason which prevented men getting drunk—absolute want. As regards the drunken column, for the middle period, we must observe that, in the fervor of Temperance Reform, the police and magistrates were influenced by the tone prevailing, and looked after these cases; but when the furor ceased, they were not really so stringent, and are laxer now than ever.

\* Taken from the returns of the Inland Revenue Office. See *Report on Public Houses*, 1853, p. 656. At the beginning of this period 1296 persons were confined in prison for illicit distilling: in 1840 only 175, and in 1841 only 171.

† In several counties during this period, there happened the unprecedented circumstance of the presentation of *white gloves* to the Judges.

diminution of disorder, altogether independent of this question, must not be forgotten.)

We will now take two quinquennial periods, including the *Mail's* own figures, and see what they establish in regard to "Convictions at Quarter Sessions and Assize," compared with the years *remarkable for diminished consumption of whisky*—the element omitted from the 'cookery' of the *Mail*,—but the very basis of the Alliance doctrine.

*Ordinary Drinking Years.*

|          | Spirits, Gallons charged with Duty. | Serious Crime. | Executed for Murder. |
|----------|-------------------------------------|----------------|----------------------|
| 1835     | 11,889,882                          | 15,216         | 19                   |
| 1836     | 12,548,727                          | 18,110         | 12                   |
| 1837     | 11,534,631                          | 9,536          | 10                   |
| 1838     | 12,628,101                          | 9,009          | 3                    |
| 1839     | 11,169,551                          | 12,049         | 15                   |
| Total .. | 59,770,892                          | 64,520         | 59                   |

*Partially Temperate Interval.*

|          | Spirits, Gallons charged with Duty. | Serious Crime. | Executed for Murder. |
|----------|-------------------------------------|----------------|----------------------|
| 1840     | 7,782,523                           | 11,194         | 0                    |
| 1841     | 6,943,740                           | 9,297          | 5                    |
| 1842     | 5,819,247                           | 9,874          | 4                    |
| 1843     | 5,906,027                           | 8,620          | 4                    |
| 1844     | 7,314,088                           | 8,042          | 8                    |
| Total .. | 33,766,525                          | 47,027         | 21                   |

The recent Prison returns for Ireland, compared with the Revenue returns, show that a legal *check* to drinking is also a check to crime.

| Gals. Spirits.                             | Cases of Imprisonment. |
|--------------------------------------------|------------------------|
| 1854. 3s, 4d. and 4s ..... 8,440,734       | 73,733                 |
| 1855. Duty 4s., 6s., and 6s. 2d. 6,228,856 | 54,431                 |
| <b>2,211,878</b>                           | <b>Decrease 19,302</b> |

We find the same result coming out in the Police returns for the city of Dublin, containing a population at the last census, of 258,000 souls.

|                             |               |           |              |         |
|-----------------------------|---------------|-----------|--------------|---------|
| Year ending December, 1854— | Drunkenness.. | 12,139... | All offences | 43,108  |
| "    1855                   | "             | 9,887...  | "            | 35,634* |
|                             | Decrease..    | 2,302     |              | 8,474   |

We fall back, then, upon the distinct, adequate, and undeniable facts of the Table, demonstrating that even a *partial, voluntary, and temporary withdrawal of the people from the Traffic, was attended by a prodigious reduction of crime*, and, as we have elsewhere established (§ 98), by a vast improvement in Trade and Commerce, which again, for want of a prohibitory law, was a drawback to the results, since a certain class *will drink in good times who abstain in bad.*

We subjoin a 'Police Picture' of the Christian City of Dublin, indicating some things by *italics* which we conceive to be intimately associated with drink:—

#### CAUSES.

"XXXII. Number of houses where spirits are sold by retail, *without retail Licence*, distinguishing grocers' shops from other kinds of houses, for four years ended 1853.—There were 105 of these houses in 1853, 47 of which are described as regular, and 13 as irregular, and 60 are stated to be frequented by persons of the inferior class. There are also stated to be 45 unlicensed houses in our city, 33 of which are frequented by persons of inferior character, and 11 by persons of bad character.

"XXXIII. Number of public-houses; also, number of *grocers' shops where spirits are sold, or suspected to be sold, by retail, without retail licence*, for four years ended 1853.—*It appears we have 1,033 of these establishments in our city*, including 82 taverns, and of these, 873 are described as regular, and 60 as irregular. This return shows a considerable increase, the number of public-houses in 1850 being but 978.

"XXXIV. Number of reports against hotels, taverns, grocers' shops, and public-houses, *where the parties were summoned, for seven years ended 1853*.—Hotels reported in 1853, none; taverns, 9, of which there were four convictions; public-houses, 295, of which there were 163 convictions.

"XXXV. Number of Temperance coffee-shops, and the manner in which they have been conducted, for four years ended 1853.—*There are 94 of these houses, of which 93 are described as regular, and 1 as irregular; 6 are stated to be frequented by respectable persons, 83 by the lower orders, and 6 by bad characters.*

"XXXVI. Number of gaming-houses, distinguishing houses where gaming is solely practised, from houses where other business is transacted, such as public-houses, cigar-shops, etc., for four years ended 1853.—*There are 201 of these houses, which is a gradual increase for the last few years, and of them 16 are described as superior, and 185 as inferior.*

\* Of these, 24,188 were summarily convicted, and 779 committed for trial. 10,987 were discharged. The whole 35,634 are thus arranged:—

|                                                              |        |
|--------------------------------------------------------------|--------|
| Offences against the person .....                            | 3,362  |
| Ditto against property, committed with violence .....        | 76     |
| Ditto ditto without violence .....                           | 5,131  |
| Malicious offences against property .....                    | 700    |
| Forgery and offences against currency .....                  | 105    |
| Other offences, as drunkenness, prostitution, vagrancy, etc. | 26,260 |

## EFFECTS.

"XXII. Number of offences committed within the police district.

"Offences against the Person.—*Common assaults*, 2718; *assaults on and obstructing police, rescue, etc.*, 812; *child desertion*, 110; *murder*, 1; *infanticide*, 1; *attempting murder*, 1; *murder and attempting suicide*, 1; *conspiracy to murder*, 1; *manslaughter*, 6; *rape and assaults to rape*, 7; *indecent offences and assaults*, 4; *administering poison*, 1. Total, 3,676.

"Offences against Property, with Violence.—*Burglary*, 53; *attempt to commit same*, 5; *breaking into or attempting to break into dwellings by day*, 18; *ditto to out-houses by day or night*, 43; *robbery from the person and assaults to rob*, 6. Total, 125.

"Offences against Property, without Violence.—*Cattle, horse, and sheep stealing*, 4; *dog stealing*, 24; *embezzlement*, 230; *frauds, etc.*, 183; *larceny in dwellings by servants*, 336; *ditto by other persons*, 2,706; *ditto from the person by prostitutes*, 883; *ditto by other persons*, 895; *simple larceny*, 2,345; *shop lifting*, 553; *attempt to commit larceny*, 364; *illegal pawning*, 104; *receiving stolen goods*, 35; *ditto soldiers' necessaries*, 15; *unlawful possession of goods*, 2,663. Total, 11,340.

"Malicious Offences against Property.—*Arson*, 1; *wilful damage, etc.*, 653. Total, 654.

"Forgery and Offences against the Currency.—*Coining, uttering, etc.*, 101; *forgery*, 7; *forged bank notes, uttering, etc.*, 2. Total, 110.

"Offences not included in the above.—*Runaway apprentices*, 109; *attempting to burn*, 2; *bestiality*, 1; *cruelty to animals*, 32; *deserting families*, 42; *deserters*, 47; *disturbing public worship*, 1; *disorderly characters*, 7,212; *ditto prostitutes*, 3,527; *drunkenness*, 13,817; *escaping from custody, etc.*, 2; *exposing the person indecently*, 98; *ditto to insult*, 11; *furious and negligent driving*, 84; *ditto with injury to person*, 51; *gambling*, 37; *lunacy*, 119; *nuisances*, 608; *nonpayment of fines*, 129; *perjury*, 2; *personation of police*, 1; *sacrilege*, 1; *smuggling*, 6; *attempting suicide*, 47; *tippling in unlicensed houses*, 320; *suspicious characters, vagrants, etc.*, 10,226; *breaches of Dublin carriage regulations*, 17. Total, 52,481.

"XXXVIII. Number of brothels, and whether of superior or inferior class, for four years ended 1853.—There are 15 of these houses where females do not reside, and 184 where they do reside; and of the better class, 20 are stated to be of a superior description, and 114 inferior. *There are no less than 886 prostitutes infesting the metropolis.*

"XLV. Number of Reports for Liquor against Members of the Police Force.—Charged with being drunk on duty, 32; *ditto off duty*, 46; *worse for liquor on duty*, 14; *ditto off duty*, 11. Total, 103.—Result: 71 constables dismissed, 15 reduced, 3 fined, and 12 acquitted.—The force consists of 1,100 men, exclusive of inspectors, etc."

The present summer assizes (1856) are memorable in the legal history of Ireland, which, now that something like a normal state is restored to the country, again illustrates our argument. With the exception of the assize at Westmeath, which presented a considerable array of prisoners, and that at Mayo, which had several serious cases, the criminal business has been exceedingly small. In Clonmel, South Tipperary, the calendar was disposed of in three hours, and the trial of records in six, being the lightest commission ever held there. Notwithstanding a considerable number of convictions for illicit distilling, the daily average of prisoners had decreased from 11,491 in 1853, to 4,418 in 1855. In Dublin, to descend to a petty offence known to have a certain relation to serious crime—Drunkenness, according to

the Police returns ending in December, had diminished from 12,139 in 1854, to 9,837 in 1855. All offences in that city, according to the same authority, had sunk from 43,108 to 35,634. What the facts and figures are in reference to the whole of Ireland, as to assize and sessions crime on the one hand, and the alleged occasion of three-fourths of it on the other, shall be tabularly exhibited:—

|                            |           |                             |        |
|----------------------------|-----------|-----------------------------|--------|
| 1854 Gallons of Spirit.... | 8,136,962 | 1854 Cases of serious crime | 83,733 |
| 1855 Ditto .....           | 6,228,856 | 1855 Ditto ditto            | 54,531 |

Decrease of Drink 1,907,506 | Decrease of Crime ..... 29,202

A striking illustration this of the *dictum* of the present Judge CRAMPTON (made when Solicitor-General of Ireland in 1832)—“that in proportion to the consumption of ardent spirits, was ‘the amount of poverty, wretchedness, crime, madness, disease, and premature death.’”

§ 121. Scotland has already supplied ample illustrations (see § 38, § 39, and § 103). Under the Sunday Closing Act and higher duties on whisky, crime, in 1855, diminished *fourteen per cent*; and this, be it remembered, under the same general conditions of commercial prosperity, and the same price of food, as in England, where the decrease of crime was scarcely perceptible. In Edinburgh, the offences against property, since 1852, have diminished *twenty-five per cent*. Or take 1853-4, not the number of offences reported (4987 and 4263), but of persons apprehended, since the police only succeed in capturing *one* perpetrator out of every *three* offences:—

|                                              |      |                 |       |
|----------------------------------------------|------|-----------------|-------|
| 1853 Apprehended for crimes against property | 1647 | For drunkenness | 5723  |
| 1855 Ditto                                   | 1412 | do.             | 5014* |

Decrease..... 235 | 714

§ 122. ENGLAND and WALES afford similar evidence of the connexion between drinking and crime. Take the following, premizing that, in 1825, the duty was lowered from 12s. 7d. to 7s. the imperial gallon:—

|      | CONSUMPTION OF SPIRITS<br>IN ENGLAND AND WALES. | POOR RATES | CRIME IN LONDON<br>AND MIDDLESEX. | AVERAGE PRICE<br>OF WHEAT. |
|------|-------------------------------------------------|------------|-----------------------------------|----------------------------|
|      | GALLONS.                                        | £          |                                   | s. d.                      |
| 1823 | 4,226,903                                       | 5,772,962  | 2,503                             | 51 9                       |
| 1824 | 4,880,679                                       | 5,736,900  | 2,621                             | 62 0                       |
| 1825 | 4,132,263                                       | 5,786,989  | 2,902                             | 66 6                       |
| 1826 | 8,888,644                                       | 5,928,501  | 3,457                             | 57 0                       |
| 1827 | 8,005,872                                       | 6,441,088  | 3,381                             | 56 0                       |
| 1828 | 9,311,624                                       | 6,298,003  | 3,516                             | 60 5                       |

\* Of these, 2000 odd were females, 3000 males. It is curious, however, that crimes against the person increased from 80 to 105; indicating that a partial measure which lessens drunkenness but leaves excitement, will not get rid of perverted feelings. War agitation may have some influence in aggravating this evil. At any rate, apprehensions for offences committed in drink, sank from 9533 in the former year, to 7159 in the latter—a difference of 2374.

The last *very varying column* completely dissipates the idle and absurd argument of the *Economist*, that not dearer or cheap spirits, but dear or cheap food, *regulates* the bulk of Crime! Everybody who has not buried their brains in masses of arbitrary statistics knows that the best paid laborers are often the most drunken and criminal.

In the *Sanitary Report* for 1842 are several comparisons of the condition of the laborers, from which we select two instances :—

J. Salt, of Carr Bank (laborer), wages 12s. per week; a wife, and child aged 15: he is a drunken, disorderly fellow, and very much in debt.

W. Weaver, of Kingsley (boatman), wages 18s. per week; wife and three children: he is a drunken, disorderly fellow; family destitute.

George Hall, of Carr Bank (laborer) wages 10s. per week; has reared ten children: he is in comfortable circumstances.

Charles Rushton, of Lightwood Fields; wages 14s. per week: he supports his wife and five children in credit.

Such contrasts could be multiplied by thousands? Dr SYMS, reporting of Ayr, says :—

"Although the colliers have *large wages*, they are, from their want of economy and their dissolute habits, uniformly in poverty; and their families, though well fed, are miserably clothed, ill lodged, uneducated, and less industrious than the families of the weavers, the females of which work with great constancy at hand sewing. The modes of living for two classes are very different. The weaver is not intemperate, *because he cannot afford to purchase ardent spirits!*"

Dr ALISON, speaking of the colliers of Tranent, says :—

"The appearance of the cottages, or persons, is no test of the want of means, or of the highness or lowness of spirits.....If a stranger went into the house of a collier, he might exclaim, 'What extreme wretchedness and destitution!—when, in fact, on the Saturday they had received 30s., which before Tuesday had all been squandered.'

Petty thefts may increase in 'hard times', but *serious offences*, as Justice TALFOURD witnessed with his dying breath, increase with high wages and cheap drink. (See § 131, Note.)

Before the Parliamentary Committee on Public-Houses, in 1853, very striking evidence was offered by the Rev. JOHN CLAY, of the number of convictions arising from drunkenness, varying, in Preston and Blackburn, during several years, according to the number of Beerhouses licensed.\* MALES only included.

IN BLACKBURN.

| Year. | Beerhouses<br>Licensed. | Committed to<br>Sessions. | Summary<br>Convictions. |
|-------|-------------------------|---------------------------|-------------------------|
| 1848  | 165                     | 13                        | 58                      |
| 1849  | 170                     | 9                         | 157                     |
| 1850  | 176                     | 27                        | 191                     |
| 1851  | 196                     | 23                        | 198                     |

\* *Parliamentary Report on Public-houses*, 1853, p. 631.

| IN PRESTON. |                         |                           |                         |
|-------------|-------------------------|---------------------------|-------------------------|
| Year.       | Beerhouses<br>Licensed. | Committed to<br>Sessions. | Summary<br>Convictions. |
| 1848        | 177                     | 13                        | 51                      |
| 1849        | 183                     | 20                        | 74                      |
| 1850        | 188                     | 34                        | 105                     |
| 1851        | 224                     | 55                        | 116                     |

A significant fact may be stated here, which we have elsewhere put on record.\* In the years 1834 and 1835, under the enthusiastic advocacy of JOSEPH LIVESEY, THOMAS SWINDELLERUST, and the noble band of Preston Teetotalers, the drinking habits of Lancashire met with a check which manifested itself in the diminution of crime—so marked as to call forth the special notice of the Gaol Chaplain, and the commendation of Baron ALDERSON, the presiding judge at Lancaster.

As to the extent of crime arising from the Traffic, take a fact relating to a town where both licensed and unlicensed drink-shops abound. In OLDHAM, from 1841 to 1846, 3000 petty offences were directly traceable to intemperance, and fifty violent deaths.

Further on, we shall have to show from the *Census* returns, and Mr REDGRAVE's *Criminal Tables*, that the great, overtopping cause of crime—the very seed-plot of disorder—is to be found in the Drinking Facilities of the country, of which the chief are the *Licensed Houses*. Here, however, we will furnish one illustration. The county of Glamorgan, in 1853, was chargeable with 42 per cent of all the crime of Wales; and that county contains 36 per cent of all the low drinking houses in the principality. Concentrated facilities for drinking produce concentrated crime. The *Report of the Commission on Mines* (under the Act of 5 and 6 Victoria, c. 99) states, concerning the Lynir Iron Works, that “in one part of the valley *nearly every fourth house is a Public-house*.† In another, in the small hamlet of Cwmdu, about the upper works there are thirty Public-houses. These were constantly open on Sundays, and at nights with scarcely any restriction.” Can we wonder at the crime of this county?

§ 123. On this part of the question, the daily and weekly Press shall reveal the real state of things. We may cite papers, almost at random, from far distant parts of the country, to prove at once the universality and the virulence of the disease. The *Sunderland News*, of March, 10th, 1855, contains a police column. The cases include twelve convictions, and occupy the

\* *Chambers's Miscellany*, vol. iii, ‘The Temperance Movement.’

† The state of affairs is as bad as ever. The Chaplain of the County Prison at Usk, the Rev. S. C. BAKER, says: “In the iron and coal towns, like Pontypool, Tredeager, etc., *almost every fifth house is a beerhouse*. In the works on the hills, where the population live in masses of from 5000 to 6000, there appears to be the same monopoly in beer, etc., as in all needful articles which are sold at the *Company's Shop*.” The shops, though fewer, are *in the midst* of a concentrated population, and therefore *present temptations* to drinking and disorder.

time of six magistrates for three days ; eleven of the cases are *Traffic-cases* ! We somewhat abridge the details :—

**" SUNDERLAND POLICE COURT.—Saturday, March 3, 1855.—RATHER TOO VIOLENT.**—Robert Swales was charged by Francis Gallacher with *having violently assaulted him, without provocation*, on the previous day. The complainant said :—“ Ye see, your worships, I met him yesterday, and says he to me, ‘ How are ye ? ’ and says I, ‘ I’m very well, the same to you.’ *And he axes me if I’d have a drop, and of course I said I was agreeable, and we had three-pennorth*, and then says I, Robert finish off what ye have, and we’ll have another drop, for I didn’t wish to be beholden to him dye see ? *And just as we had finished that, he struck me on the mouth*, and that’s all I can say on the matter.” Fined in 10s. and costs, or in default go fourteen days to gaol.—Another case was then entered into, on the complaint of Mr J. Sidgwick, who wished him bound over to keep the peace, and which ought to have been gone on with on Monday, but was taken up in consequence of Swales’ being in custody at any rate. *Mr Sidgwick stated that on the previous day he met the defendant in the street, and asked him for the return of a half-sovereign lent him in July last, when he suddenly lifted up his hand and attempted to strike him, and in fact would have done so but for his warding off the blows. From that exhibition, and from his language also, he apprehended personal violence.* Bound over to keep the peace, himself in £10, with two sureties.—**Monday, March 5.—DISORDERLIES.**—John Cooke was found on Sunday morning in the High-street, *lying drunk and incapable*, ‘ quite helpless,’ and was now discharged upon paying costs. George Plumpton was charged by police constables with fighting, and raising a disturbance in High-street, on Sunday morning. He was also *very uproarious when taken into custody, and struck the officers, forcing them to let go another prisoner*, and was now convicted of the offence and fined in 5s. and costs, or in default pay a seven days’ visit to Durham.—John Carr was charged with *being drunk and disorderly in Stafford street, on Saturday night*. As this was his twelfth appearance on a similar charge, he was not let off so easily as he expected, but was fined in 10s. and costs.

**" AN INCORRIGIBLE.**—Margaret Wellaburn (76), made her forty-third appearance on a charge of drunkenness. She had been found lying on the flags in High-street, quite incapable. Even in Court she could not resist her fatal craving for drink, but left before her name was called and went to an adjacent public-house there to get a fresh supply of liquor. *She had been often in the poor-house, but had as often run away and got drunk*, in spite of all rules and regulations. She was now ordered to be sent back to the workhouse, with strict injunctions that she should not be let out, on any conditions whatever.

**" THE USUAL FINISH TO A COLLIE'S PAYNIGHT.—O'HARE, collier, was brought up for knocking down A. Collings, cab-driver, in High-st, on Friday night, and being instrumental with others in stealing his hat.** Collings, who had been a witness in the Seaham riot case, lately tried, was going up High-st, on Friday night, when the defendant attacked him and knocked him down, and afterwards his companions beat him while on the ground, and finally ran off with his hat. He saw them go in the direction of the Rowland Burdon public-house, whither he shortly followed with a constable, and succeeded in capturing the defendant, whom alone he could identify. The constable said that when he asked the Landlady how long the men had been in, she at first answered ‘ not many minutes,’ and afterwards, seeing that there was a prospect of their getting into a scrape, said that they had been there *an hour*. The landlady and her servant said the defendant had come to the house about half-past eleven, and did not leave until twenty minutes to one. But as it was proved on undoubted evidence that Hare was comfortably reposing in the police cell at half-past

twelve, their evidence did not go for much. The Bench convicted of the assault, and fined 10s. (out of which Collings was to get a new hat) and costs, or in default be imprisoned for fourteen days.

"DISGRACEFUL CONDUCT.—Jane Riley was brought up by Inspector Temple, on a charge of creating a disturbance in High-street, on Saturday night. He had seen a crowd about a grocer's shop, and on entering found a little girl lying there, supposed to be in a fit, but in reality quite drunk. Shortly afterwards the mother, defendant, came in drunk, and proceeded to take her child home, but commenced on the street to beat the little girl violently, and to raise such a disturbance that he felt obliged to take her to the station-house. Fined 5s. and costs, or in default, gaol for 14 days.

"TUESDAY, March 6. DISORDERLIES.—J. Simpson, for being found drunk and incapable in Messrs. Fenwick's glass-house, was discharged on paying costs. 'I have been teetotal for some months, and only broke out yesterday.'

"Ralph Lynn, for assaulting Mrs F. Wilkinson, was fined in 40s. or go to Durham for two months.

"John Ford, for seriously assaulting Mrs Mary Higgins on the head with a poker, was fined in 20s. and costs, or go to gaol for one month. 'Av coarse, yir 'onors, he did strike me, but he was morthal drunk at the time, or he would not have done it. He's a good man when the drink's not in him.'

Nearly a year has passed since these sections were written : are things any better ? Let us see. We take up papers at random. First comes the *Newcastle Advertiser* for June 28th, 1856,—a paper distinguished by the eccentric theory that Teetotalism is the cause of Drunkenness—in a column and a half of Police News we find the following cases :—

"ROBBERIES.—(1) Mary Kelly was charged with stealing 4s. [from W. Jones, a sailor. Being a stranger in Newcastle, he lay down on some stairs in the *Ship* entry, early on Saturday morning. The prisoner came to him, and wished him to treat her to some drink. He gave her 5d. to get quit of her, but she came back ; and he was roused by her foot striking his, and when he felt in his pocket his 4s. was gone. Committed for 14 days.—(2) Elizabeth Welch charged with stealing two large pieces of bacon. As the prisoner was drunk at the time, and the prosecutor, on account of her family, did not wish to press the charge, she was reprimanded and discharged.—(3) Margaret Renwick and Mary Ann Ramshaw charged with stealing money from one Bell, while he was in a state of intoxication. Committed for 14 days.

"ASSAULTS.—(4) W. Snowdon charged with being drunk, and creating a disturbance in Scotswood Road early on Saturday morning, and committing a savage assault on the police officer, having torn his clothes, bit his thumb, and otherwise maltreated him. Fined 10s.—(5) John Jamieson charged with assaulting Mr Turnbull on Sunday. Drunk at the time. Fined.—(6) John Shepherd charged with assaulting Ann Tullock, the keeper of a disreputable public-house, and breaking 5 squares of glass. Fined.

"STABBING.—(7) Alfred Gill, said to be a medical practitioner, coming along Blackett street, about half-past 4 o'clock, in a state of intoxication, interchanged a few words with the scavengers at work. The prisoner drew a sword-cane and ran it into the groin of one of the men who requested him to go away. Fortunately the point of the instrument struck against a bone, or the stab would have proved fatal. The man being dangerously ill, the case was remanded, the bench refusing bail."

Or, again, taking the *Stockton and Hartlepool Mercury*, of July

26th, 1856, we find the following under the 'Police News' of the district :—

- (1) A SEAMAN turned out of his hammock, and literally tarred by three other sailors, who had been 'making merry.' The delinquents fined.
- (2) A VETERAN TOPER committed to prison for seven days, for being drunk and disorderly.
- (3) POCKET PICKING by a woman, at the Napier Public-house, on a customer who had had a 'drop too much.'
- (4) FELONY in a beerhouse, at Hartlepool, by a beery customer.
- (5) VIOLENT ASSAULT upon the Police by a drunken man, 'rowing' in the streets.
- (6) FEROIOUS ASSAULT by W. Duning, Innkeeper, Stockton, on his wife. He had been drinking for some days. Three months' imprisonment.
- (7) A Jerry-lord assaults the officers of the water company.
- (8) A YOUTH of 15—drunk and disorderly on Sunday, at Middlesbro'.
- (9) SQUARING ACCOUNTS between two men in Whittaker's Public-house, by chalking marks, in red and blue, on each other's face.
- (10) A DROP TOO MUCH in an old man from Aberdeen, aged 83.
- (11) ASSAULT by a drunken man, on the police inspector, while turning some men out of a Public-house.
- (12) A WOMAN of 33, on a visit, gets drunk, and, in company with some men, conducts herself in an indecent and disorderly manner. One month's hard labor.
- (13) ANOTHER WOMAN drunk and disorderly in the streets.

Two cases of illegitimacy, and several others, had a *look* towards drink; but particulars not given.

One more local paper shall be cited, and then, we think, our readers will be convinced that we are fairly representing the facts of the provinces. The *Middlesborough News* thus sums up the criminal history of the town from January to July, 1856—a town, by the way, where the working classes are earning more money than in almost any other place in the kingdom :—

"With regard to drunkenness, our record is only of those who have appeared in the police court. Of the number of careful drunkards, who know how to conduct themselves with decency in the streets, we have no means of giving any account.—Drunkenness, 119; Assaults, 40; Stealing, 27; Deserting ship, 14; Using foul language, 12; violation of market bye-laws, etc., 11; Doing wilful damage, 10; Neglecting work, 10; Vagrancy, 9; Disputed wages, 7; Neglecting wife, etc., 7; Throwing stones, 4; Breach of laws by publicans, 3; and for various other offences, as Smuggling, wife beating, jumping out of a train, uttering bad coin, etc., 28. It will be seen that drunkenness more than trebles any other crime. Of the 119 cases, 96 were males, and 23 females. The male population is under, but taking it as 5000, we have *one man in every 20 fined every year for drunkenness*.\* The number of Public-houses is about 64, which are generally in a flourishing condition, especially the 'singing palaces.' In these haunts of iniquity, a crowd of persons are continually feeding their evil passions, and making themselves

\* These extracts from the newspapers will show the reader what a large proportion of Offences, especially disorderly-drunkenness and assault, are *finable*; a circumstance that vitiates the value of the Prison-returns to a great extent. Mr MAYHEW states that 48 per cent of the committals to the *Middlesex House of Correction* are for non-payment of fines. It is evident, then, that in prosperous times a greater number of Offenders will *pay* their fines than in 'hard times'; but it is also evident, for that very reason, that the number of Committals is *not a criterion of the number of Criminals*.

an easy prey for that unfortunate class who nightly perambulate the streets. We hope our magistrates will give orders that these 'hells' may be strictly watched, and any breach of bye-laws reported, that the town may be weeded of a few of these hotbeds of vice and crime."

Or look at some of the events of a week, as noted in the last papers we possess at the time of correcting this proof. A letter in the *Times* of August 6th, 1856, complains of the drunkenness of a society of Odd Fellows, who held their anniversary on the Monday previous, in the crystal palace at Sydenham. As, amongst other things, this is a beerhouse, these Odd Fellows became excited, and several of their office-bearers, in crapulous opposition to the Crystal Palace Band then performing, felled the band conductor, smashed several chairs, and "kicked up a regular row." Thus are the people at once 'educated' and 'elevated'—what they learn from statues and pictures, from music and the fine arts, is defeated or neutralized by the sale of a drink which beclouds and stupefies the intellect, or induces temporary madness.

The two men, CAIN and RAYNE, against whom the jury found themselves unable to return a verdict of guilty on the recent trial for the murder of Mr STIRLING, the surgeon, at Burnopfield, were met by a number of 'friends' on their liberation, and proceeded at once to a public-house, where they spent some time in drinking. They afterwards adjourned to other houses of the same description, and did not go home until they and the whole of their party were "in a considerably advanced state of intoxication." Here were men on whom the dread suspicion of murder rests; and yet the drink-sellers had no scruple in supplying them, immediately after their very narrow escape from a capital conviction, with the intoxicating draught, by indulging wherein, they and thousands, not naturally malignant, have their hearts steeled to murder.

On Saturday night (August 2), a horrible murder was perpetrated at Great Smeaton, near Northallerton. After a hard day's work, two mowers, BOWES and COCKFIELD, repaired, scythe in hand, to a public-house, got half-tipsy, and quarrelled. In the end, BOWES, with deliberate sweep of his scythe, mowed COCKFIELD down, cutting one of his legs so nearly off that it hung only by a piece of skin! Within an hour, the poor victim is dead, his wife a widow, and his two children orphans; while his slayer, also a married man, is torn from his wife and home, and committed on the charge of manslaughter.

The papers of the week which records these signs of our home civilization, tell us of another characteristic fact concerning our army abroad. The very last of the Allies who left the Crimea was an English soldier, so drunk that he had to be carried in the rear of his comrades on the shoulders of the Cossacks!

The *Alliance Weekly News* for this day (September 29, 1855), contains its ninth weekly 'Liquor List,' compiled from some

score of current papers. What a condition of counterfeit 'Civilization' does it not reveal? In those nine weeks stand recorded, as connected with the traffic—

- 17 cases of Bodily Peril.
- 46 Robberies
- 91 Brawls and Assaults
- 36 cases of Cruelty to Wives and Children.
- 92 Premature Deaths and Accidents.
- 30 Manslaughters and Murders.\*

§ 124. Or go to the *Times* and London Press for the past week,† and it is the same hideous story—with every possible and impossible proposal of 'Remedy'—save just the right one. The *Times* writes, "with shame and grief," that the law passed some little time back for the protection of women from drunken husbands, "must be considered a signal failure." The *Morning Advertiser* makes the case of the wretch who threw his wife out of the window, the text for a long discourse on marital slavery. The *Daily Telegraph* recommends education as the remedy for this crying evil. The *Advertiser* craves an alteration of the marriage laws, and new facilities for divorce. The *Times* puts faith in whipping, and worse:—"Six months' imprisonment," it says, "is clearly not sufficient to put a stop to this horrid barbarity. "It is a blot upon our age,—it is an awful comment upon our "maudlin morality,—it is a disgrace to the name of Englishman. "Something clearly must be done. There has been talk of "facilitating divorces among the humbler classes, but it must "be observed that *unmarried women are just as frequently the subjects of attack* as those who are absolutely bound to their "brutal husbands by the marriage tie. A few *capital punishments* would in all probability operate to deter these ruffians "from carrying their 'brutality beyond a safe point. The six "months' imprisonment—which is practically curtailed to half or "a third of the period—has clearly broken down as a remedial "measure." In the *Examiner*, this subject has been treated with manly indignation, and the writer selects from the police chronicles of one week the following cases:—

"On Monday *George Rose* was brought up at the Thames Police-office for having beaten his wife, who was endeavoring to protect their children from his drunken rage. He pitched the children about the room, dragged his wife about by the hair, kicked her, and flung her out of the window. To be locked up for six months. On Tuesday *George Preamble*, at Southwark, killed a woman named *Mary Anne Latimer*, with whom he was cohabiting. Remanded. The same day, one *Lordan* murdered his wife in Artillery Lane;—he stabbed her in the neck. A coroner's jury have brought in a verdict of 'Murder' against him; he will probably be hanged, if the Home Secretary does not let him off, or present him with a testimonial.

\* We add at the end of this volume the Liquor List from the same paper, up to the date of publication.

† Written September 29th, 1865.

On Wednesday a man named *Barry*, who had previously broken both his wife's legs, violently assaulted her again. This time he broke her arm, and bruised her very much. She was found lying in a pool of blood, which had flowed from her nose and ears. Remanded. On the evening of the same day, *Thomas Dodd*, a coal-porter living at Westminster, kicked his wife till her life was in imminent peril. Remanded. On Thursday night *George Mulley*, a porter in Newgate Market, cut the throat of a young woman with whom he was cohabiting. Remanded. On the morning of Thursday *Henry Watts* was indicted at the Old Bailey for the wilful murder of his wife, under circumstances of peculiar atrocity."

Here are eight cases, occurring in four days, and selected by the *Examiner* as 'signs of the times.' Of five of these cases we happen to have reports before us. In every one of the five, strong drink is expressly named by the reporters; and it is by no means the uniform practice of reporters to record that drink has been taken in such cases, even where such a fact has come out in evidence. Truly, "*Something must be done.*" The three other cases, were they to be investigated, would probably be found to flow from the same fountain as the five. As we have before shown, the *excitement* that precedes drunkenness is often more dangerous than drunkenness itself. In such a state—especially with the neglected, ill-trained, and dangerous classes, passion flames up on the most trifling provocation. At any rate, in the first case of the five, the man is said to be "*in a drunken rage.*" In the second, the victim "*had been drinking and quarrelling with her husband.*" In the third, stabbing is the result of a quarrel begun in a beerhouse, the woman and her murderer being "*persons of dissipated habits.*" Lastly, comes the wilful murder by *Watts*, who "*had been drinking.*" On these cases the *Times* builds its proposals for "*a few capital punishments.*" One paper recommends '*cheap divorce*,'—and another verbal '*education*' in the school-house, to counteract practical '*education*' in the beershop!—all willing to adopt *any* extremity of brutality or cruelty, if it will only not take away the *convenience* of the purchase of that darling '*pot of beer*'! They talk of these people, as though, when they went to drink, they *meant* to quarrel and to kill!—whereas they only meant to drink, but drinking, do the other things besides. The question is, *will a prospective punishment, which they do not intend to incur, for an act they do not mean to commit, prevent them visiting the public-house?* Certainly not. These men and women labor under the very delusion of the Editors themselves—namely, that there is *no connexion* between the Traffic, drinking, excitement, and crime; the fact being that these are so many concatenated links in the chain of social evil. We *cannot* have the first without all the rest. They forget the truthful Eastern apologue of the man who offered the choice of three sins—Drunkenness, Incest, Paricide—mistakenly selected the first, as the least evil of the three, and committed the other two afterwards. So these unfortunate beings *do not calculate* upon doing the atrocious deeds

described, but only upon getting 'a little drink'—and in the state induced, to talk about reflection and consequences is simply absurd. Old HERBERT, in his *Church Porch*, wisely says—

He that is drunken, may his mother kill,  
Big with his sister; *he hath lost the reins*:  
Is out-lawed by himself. All kinds of ill  
Did, *with his liquor*, slide into his veins.

To prevent this 'Outlawry,' we must outlaw the Traffic.

§ 125. Or take the confession and picture put forth a little while ago by another London paper—the *Morning Post*—in a leader which may be described as full of true premisses and inconsequential conclusions—'a mingled yarn' of truth and error :—

"CRIMINAL DRUNKENNESS.—The other day, a young and respectable woman was walking peacefully along the street; suddenly, a tremendous blow from the fist of an individual, who acknowledged he had never seen her before in all his life, levelled her senseless with the pavement. Her skull was stove in, and brain only partially, not mortally, injured. The spectators thought the assailant mad. And he certainly was; but his was the madness of inebriation, *which he might have been hindered from incurring*.—Another police report next day, tells us that a tradesman, standing quietly before his own shop, was felled from a similarly sudden blow, from a similar hand, under the influence of the same irresistible species of insanity. The most remarkable point in drunkenness is the apparent necessity under which the patient lies of replenishing and sustaining the fountain of its own furies.—Another police report for instance, places before us the case of a man who, every Saturday, received as weekly wages for skilled work, 52s.; of which sum he regularly drank, in two days, the two pounds, having previously taken the precaution to hand over to his wife the twelve shillings for the food, clothes, house-rent, servant's money, and other expenses of that *fortunate* woman, and of her and his four children. He could not help it; it was the most he could do; it was liberal; and he is now in the House of Correction for an involuntary and inevitable brutality, which chanced to be discovered. Everybody knows that a number of millions of pounds sterling are in England yearly spent in the purchase of intoxicating drinks. If the drinking went not into drunkenness, this would be a little matter. But how many are in prison and in poor-houses, *supported by public money*, who ought to have been supported by a man, himself utterly undone, who should have even contributed to the general wealth! *Prevention is better than cure, and where the case is very difficult, the prevention should be doubly strong*. We have keepers and asylums for those whom *nature* has made mad; why not for those who are made mad by *themselves*—for the mad drunkards? We mean, of course in confirmed, patent, proven, and habitual instances. The *mad drunkard* is generally far more disposed to do evil than the poor *sober deranged*: yet far less precaution against the former than the latter!

"Surely there ought to be rigorous measures for repressing this desolating vice! It is frequently said by foolish people that 'a drunkard is *his own enemy*.' It is true enough that he is his own enemy, but he is not his own enemy only—he is the robber of his wife and family, the destroyer of domestic happiness and comfort, and alas! yet worse, sometimes the murderer of those whom he should have protected at the cost of his own life. How often we see in the streets at night the poor anxious wife, perhaps mother of some starving children, following with skulking terror the husband whom she would save from an untimely end, while he, on perceiving

her, turns round with fury, and curses her trembling solicitude. An asylum for the mad drunkard would relieve the crowded poor-house, would diminish the municipal expenses of the country, would incalculably augment production, and would give many a peaceful home where there are solitary, blood-stained hearths. Personal restraint and enforced diet would answer. *It is not by usurping the office of the preacher that we can check the evil.* In its origin, doubtless, it is a vice; but who does not see, that, in its growth, it germinates into the most fatal of the forms of madness? Treat it, then, as a madness, curable if taken in time, for it is only by arresting the malady that you can extinguish the vice."

Very true—but why, then, license houses for dispensing the material cause of the malady? The *Morning Post* ought to know that *all* his remedies have been tried, both on the Continent of Europe and America, and failed. At last, the people of the United States have determined to go to the fountain head, and dry up the *fons malorum*. Of what use is History if we will not extract its philosophy, and save ourselves the bitter experience of wasted effort and certain failure?

Nay, even the *Weekly Despatch*, for July 20th, 1856, avows the truth of the Alliance doctrine. Witness the contrast it draws between a class with Drink-facilities *minus*, and one with Drink-facilities *plus* :—

"PEOPLE in the south labor under singular misconceptions as to the condition of their northern, especially their Celtic, fellow-countrymen. They hear of Lowland bothies and Highland huts, of squalid poverty and wretched diet; of oaten bread and sheep-head broth, and straightway conclude that the Scotch must be the most miserable people in Europe. They find the Scotch who come south *tall and wiry, and strong, leading artizans in the workshop or factory, and at the head of most of the great garden establishments*; but that they attribute to orderly habits and superior education. They look for figs from thistles, and grapes from thorns. It is all a mistake. Go down among them, wander through the Trossachs, Braemer, or Glenlyon, drop among the farms of the Lothians, see the large frames, the full muscles, the great calves, the spring in the step, the arched foot, the clear complexion, the full lips, the strong teeth; observe the serviceable, perfectly whole and decent, week-day dress, the universally respectable clothing on Sunday, and then ask yourself, if these can come of squalor or destitution. To begin at the beginning, the infant is very

"We have just finished the hay harvest of Middlesex; the grain harvest is coming. The mowers, rakers, haymakers, garden people, begin work as soon, and go on as long, as they can see. Their employers systematically bribe them to toil beyond their strength. *It is beer from morning's dawn till moonrise*—beer the first thing in the morning—beer to breakfast—beer at resting time,—at dinner,—after dinner,—at tea,—at supper. They are filled with beer to get as much work out of them in a given time as possible; they could not go through with what they do, but that their muscles and sinews are *filled-drunk*, to hold out beyond the capacity of nature. Now is the HARVEST OF THE PUBLIC-HOUSE. How many of the hands would pass the army surgeon? Consumption is never out of the cottage. *Insanity in the rural districts, increases so rapidly that there is no accommodation in the asylums for the pampered lunatics, albeit they build large additions to them every year.* Look at the calveless-legs, the great splay feet, the heavy unelastic gait, the gradually diminishing frame, the lean round shoulders, the premature agedness. Think of the condition

sure to find in its mother one who knows how to nurse, who loves it devotedly, *who knows nothing of beer, and scarcely anything of whisky*; who, with scarcely an exception, has a cow and a garden to go to, and a meal-ark for wholesome cakes or porridge; and, as a rule, is in her house, not toiling in the fields. There is either coal, or peat, or wood for warmth, and homespun from the mountain sheep. As the child grows older it goes to school, and older still, just has task enough gradually to let him know that he is not to be idle all his life. When he becomes a man his diet is still the same. *No beer, little whisky, milk and porridge, cheese and butter, broth and bacon, occasionally beef or mutton, fresh herrings and other fish. Intoxicating drink is never an article of diet with him, only an indulgence and recreation.* He will not overwork himself for anybody; in winter he has much leisure; he feels that his strength and health are his capital, and he husbands them."

[From the Article entitled 'Labour and Leisure.']

of the boy who begins the morning with bread and beer. Think of the example set him by a father who clears the ale barrel, not by pints, but by gallons; or of the morals of the girl whose mother ever and anon reenacts her exhaustion by a drop of gin. Do we exaggerate? do we say a word incapable of proof? We ask the farmers, we appeal to the market-gardeners, to say if they can contradict the general features of this description. And if they cannot, how grave is their responsibility. *What right have they to complain of drunkenness, theft, impurity, pauperism, if they lend themselves to such a system?* They get work, indeed, out of it; but does any man, with so much as a teaspoonful of brains, believe that beer ever gives to an employer a greater quantity of useful service, taking the aggregate of efficiency for the whole year? The evil will recoil on himself; indeed, he already feels it. His laborers become yearly less efficient; daily he gets less work out of them; daily the beer tempts them to do less, and to find some other way of getting at it than by *working for it.*"

§ 126. Take next the evidence of those in high station—the Peers and Statesmen of the realm.

Lord ASHLEY (now Earl of SHAFTESBURY), in his speech in the House of Commons, on the Beerhouses, said:—

"In spite of all that had been done, there remained *a vast moral waste* in the condition of the people. The Police returns of Manchester, Leeds, Birmingham, exhibited a frightful picture, especially as to the condition and habits of the juvenile portion of the community. The country was weary of mere palliatives: schemes of prison discipline and so forth; the evil was wider and deeper than could be reached by mere corrective processes, and if not grappled with, we might anticipate, in twenty years, a general convulsion and displacement of the whole system of society."

The Earl of ABERDEEN, at a meeting in Edinburgh, said:—

"I shall not probably be thought guilty of exaggeration, or blinded by national partiality, if I say that Scotland, for a long series of years, has been eminently distinguished among the nations of Europe for the *moral, religious, and intellectual culture* of its people. But can we say that this is the case at the present moment?\* I grieve to say that the increase of crime has been greatly beyond the increase of population."

\* We hope his Lordship, if he reads our 132—33, will be enabled to perceive that it is the Liquor Traffic that has diseducated the people.

He then goes on to notice that the Scotch, on the average, were then consuming three gallons of whisky to every man, woman, and child in the kingdom. But again we return to the question, What *tempts* to this inordinate consumption? The Traffic. The Traffic has undone Scotland, as it will most surely every country where it is permitted to take root and grow.

The Earl of ALBEMARLE, in a public address at Banham (Sept. 1855), enters elaborately into the evil and degrading effects of *largess* at Harvest-homes. We cite a passage or two:—

"How do they return their thanks to God for a plentiful supply of food for another year? *They get drunk.*\* Each man at the end of harvest receives a certain present from his employer, and then a party go round and ask for 'largess.' The largest man, having begged all he can, goes to the public-house to get drunk. I wont follow him in the orgies which take place at the public-house; *but the immorality—the gross, shocking immorality of both sexes*—ought not to be lost sight of. This is, I hope, the commencement of a new era in agriculture. We wish to do away with the hateful crime which is a blot upon our escoccheon, and makes us a laughing-stock and an object of pity to other countries. We must do away with the present disgraceful system. In one town, where drunkenness prevails—Preston—it was stated that, for the last twenty years, one-third of the bodies exposed were those of persons who had died of drunkenness. But supposing the drunkard has escaped a painful bodily death, has he escaped all the evils which the consequences, perhaps, of harvest-home, have brought upon him? Are there no other evils to which he is subject? The details which, as a legislator, I am bound to know, tell a very different story. Drunkenness is the fruitful cause and source of the dreadful and horrible calamity of insanity. I know, as a county magistrate in the habit of attending at petty and quarter sessions, that *a great proportion of crime* arises from those habits of drunkenness which prevail among our rural population. I would affectionately press upon the occupiers of the soil—I would have it understood by all over whom I have any influence, that I wish them, if they consider it necessary to give a harvest supper, that that supper should be given under their own control; and that they should *cut off the supplies from the hateful largess*, and place the money thus withheld in the hands of the committee of the village harvest-home fund. I do not wish to save the pocket of the occupier of the land one farthing. I think that the laborer is worthy of his hire, and that he deserves some reward after he has done a hard spell of work; but I wish to save that laborer from the temptations to which he is at present exposed. I wish to strike a blow against the demoralizing effects which are produced by the present system, and to give the laboring man a shove up the steps of the ladder of civilization. I hope, also, that you will bear in mind that largess has got its death-knell, and that you will answer to every man who asks you for it for the future, *Friend, I cannot give it you, because I will not be accessory to sending you either to the gaol, the hospital, or the lunatic asylum.*"

It seems very strange to us, that my Lord ALBEMARLE, with his clear common sense and warm heart, does not see the *further application* of his doctrine,—"*Cut off* the largess—save the laborer from the *temptations* to which he is exposed." We can point out to his Lordship a broader, surer, and therefore "more

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\* We should have said—not omitting the antecedents—They *destroy the food* in the Breweries and Distilleries—license houses for the sale of the seducing liquor produced—and get drunk by way of natural sequence.

excellent way." Let him cut off the temptations of *all* seasons and all days—summer or winter, Saturday with its work, or Sabbath with its rest—let him say, as LEGISLATOR, what he says as *Landlord*,—and say it to the LICENCE-MAN as well as to the Largess-man, "FRIEND, I CANNOT GIVE IT YOU, BECAUSE I WILL NOT BE ACCESSORY TO SENDING MY COUNTRYMEN EITHER TO THE GAOL, THE HOSPITAL, OR THE LUNATIC ASYLUM."

§ 127. Again, let us pass from general evidence to that given by witnesses who are officially or otherwise associated with the criminal business of the country; and who are, therefore, best entitled to judge. In the evidence taken before the Committee on Public-houses, 1st Report, p. 270, we find Mr H. DANSON, beer merchant, Liverpool, on behalf of 500 publicans, saying—  
 "If the Trade were thrown open, *we do not know what amount of Police we should require; in fact, the borough fund would scarcely pay them.*" Before the same Committee, Mr THOMAS WRIGHT, of Manchester, who for sixteen years has devoted himself to visiting gaols, endeavoring to reform criminals, and find them the means of living on their discharge from prison, speaks strongly of the intimate connexion between intoxicating drinks and crime. "He has found that the majority are criminals from their youth (No. 2126); *that there is a large class who give themselves wholly to drinking, who send their children out begging, and from begging to pilfering for them.* All the children in gaols speak of the neglect of their parents (2132); he has never found any cause for that neglect *but drunkenness* (2141); 18 out of 20 of our criminals are from that class (2124). Amongst the convicts at Portland, he could not find two out of 20 who could say they had had a good mother; the mother was generally a woman who had neglected them in childhood and youth from drunkenness.

"Of 27 men convicted of murder with whom he had conversed, there was but *one* who said that his mother was a good woman (2127, 2128). There is a race of women in the world who do not care where the money comes from *so they can get it for drink* (2142). Some of them encourage their children to be prostitutes; he has seen them in the gaols as early as ten years of age, and conversed with them (2146-7); they all tell of the drunkenness of their parents, especially their mothers (2151). One lad spoke of his mother sending him out begging, and from begging to pilfering; *she did not care where she got the money if she got it for drink; that child was seven times in gaol, and he was only 12 years of age*" (2140).

The following is extracted from Mr VILLIERS' Report:—

"Mr ROBERTSON GLADSTONE, referring also to the connexion between intoxicating drinks and crime, states that 'the subject has so frequently come before the magistrates at Liverpool, that they know, that in beerhouses, as well as in licensed public-houses, many thefts and robberies and other crimes are arranged and

pre-conceived (1063). In his own experience he has known several prisoners in gaol who, after they have been sentenced and convicted, have told him where all their plans were arranged, and those beerhouses were generally the places' (1074). And this is confirmed by the Head-Constable of the borough, who returns 'the number of beerhouses at which thieves assemble at 32, and at which thieves assemble and dispose of the proceeds of their robberies at 57.'

"The Rev. JOHN CLAY, who for 32 years has been chaplain of the Preston House of Correction, and has labored incessantly in reforming criminals, and tracing the courses of crime, states, *that at least 35 per cent of crime must be set down as the direct effect of drinking in beerhouses and public-houses* (2016); and he further gives as the result of his experience, 'that prisoners, after their discharge, if they only keep sober, keep out of prison' (6327). This return to crime, as the result of drunkenness, is also referred to by Mr THOMAS WRIGHT, who states, 'that a child let loose from prison will return to bad habits unless he is removed from his parents.' (2140).

"Your Committee do not feel it necessary to follow further the evidence upon the connexion of intoxicating drinks with crime; it has, directly or indirectly, been the subject of enquiry at different times, and has been reported upon by numerous Committees of Your Honorable House, *who bear unvarying testimony both to the general intemperance of criminals and the increase and diminution of crime in direct ratio with the increased or diminished consumption of intoxicating drinks*. The evidence already referred to (and which, coming from persons of such ample experience, is entitled to especial weight) goes farther, and tends to establish that whatever individual propensity there may be to crime, is, with few exceptions, brought into activity by habits of intemperance; *that children are driven forth to crime, to feed an appetite for drink that bears no control and knows no natural affection, and that even criminals cease from crime if they cease to be drunken*. With regard, however, to that portion of the question more particularly belonging to the enquiry of your Committee, the necessity for a more efficient control of all places for the sale of intoxicating drinks, there arises no such difficulty. *The entire evidence tends to establish that it is essential that the sale of intoxicating drinks shall be under strict supervision and control*.

"The testimony is *universal*, that the greatest amount of drinking takes place on *Saturday* night, and during the hours that the houses are allowed by law to be open on *Sunday*.

"In Manchester, an enquiry conducted with great care, extending over six successive Sundays, and including 159 spirit vaults, 256 public-houses, 1041 beerhouses, gave as the average number of visits on *Sunday* to the 1456 houses, 119,533 men, 70,478 women, and 22,232 children; a total of 212,243."

The Deputy-Governor of WINCHESTER GAOL states that "he has been upwards of seven years in his present situation, during which period more than 11,000 prisoners had been committed to his care ; and he feels no hesitation in saying that 17 out of every 20 had been brought there, directly or indirectly, through drink. On one single day lately, 11 persons were committed to the gaol, whose offences, without exception, were the result of drinking."\*

§ 128. The following testimonies are taken from the *Lords' Report on Beerhouses* ; being selections from 44 to the same purport :—

Rev. H. S. JOSEPH, Chaplain of Chester Gaol, says :—“*Gaols must continue to be filled with prisoners, unless something be done to put down jerry-shops.*”

Rev. J. ROWLEY, Chaplain of Lancaster Gaol :—“ Is of opinion, formed deliberately and from long experience, that beer-houses are the promoters of crime.”

Rev. W. FOX, Chaplain of Leicester Gaol :—“ Is enabled to say, from seven years' experience, that the operation of public-houses and beerhouses, in the production of crime, is *beyond any other instrumentality.*”

Rev. HENRY HALES, Chaplain of Ipswich Gaol :—“ Crimes generally, if not invariably, originate in the frequenting of beer-houses ; and, as corroborative of this, *fifteen out of twenty men have so confessed during their imprisonment.*”

The 31st *Report* of the Chaplain of the Preston House of Correction (Rev. JOHN CLAY), under date of October, 1855, has the following very valuable testimony as to the extent of drunkenness and its numerical relations to crime :—

“ It is sometimes contended that Ignorance and Drunkenness are less prevalent now than formerly ; that both are retreating before the steady advance of education. The *retreat is so slow, that it can scarcely be measured*, except after a long interval of time.

“ I would note the fact, that during two years, I have heard 1,120 male prisoners attribute their offences—frauds, larcenies, robberies, burglaries, rapes, stabblings, homicides—to DRINK ! And if every prisoner's habits and history were fully enquired into, it would be placed beyond all doubt, that *NINE-TENTHS of the English crime requiring to be dealt with by the law, arises from the English sin*, which the same law scarcely discourages.

“ I have never yet conversed with a single prisoner who attributed his ruin to the gaming-table ; but I have heard more than 15,000 prisoners declare that the enticements of the ale and beerhouses had been *their* ruin.

“ Through the kindness of the Clerk of the Crown, I have looked over the depositions relating to those charges of darker character which were tried at the *assizes for the county in the year ending March, 1854.* The following is a brief summary of the offences charged, and of the *causes* which led to them, in the cases of 380 prisoners :—

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\* *The Weekly Record*, Aug. 2, 1856, p. 151.

| OFFENCES.                  | CAUSES.                                |                                            | REMARKS.                                                                     |
|----------------------------|----------------------------------------|--------------------------------------------|------------------------------------------------------------------------------|
|                            | Acts of<br>Drinkg.<br>direct<br>cause. | Habits of<br>Drinkg.<br>indirect<br>cause. |                                                                              |
| Murder .....               | 7*                                     | 2                                          | *Including 4 ale and beer-house cases                                        |
| Attempts to murder .....   | 4                                      | 2                                          | *Including 1 beer-house case.                                                |
| Shooting, stabbing, etc... | 41*                                    | 3                                          | *Including 14 ale and beer-house cases.                                      |
| Manslaughter .....         | 15*                                    | 9                                          | *Including 8 .. ditto .. ditto                                               |
| Rape .....                 | 14                                     |                                            |                                                                              |
| Assaults .....             | 10*                                    |                                            | *Including 9 .. ditto .. ditto                                               |
| Burglary .....             | 13                                     | 33*                                        | *Including 13 burglaries, &c., in ale and beer-houses.                       |
| Robbery .....              | 32*                                    | 1                                          | *Including 12 ale and beer-house cases, and 3 in which prosecutor was drunk. |
| Robbery, with violence ..  | 30*                                    | 6                                          | *Including 24 in which prosecutor was drunk.                                 |
| Larceny .....              | 2                                      | 2                                          |                                                                              |
| Other offences .....       | 5                                      | 19                                         |                                                                              |
|                            | 173                                    | 77                                         |                                                                              |

"Are these figures to be passed over as dry and repulsive statistics? Surely not. When murders, manslaughters, stabblings, shootings, rapes, burglaries, 'and such like,' to the number of 250 in one year and county, are traceable, directly, to *acts* of drunkenness, or more indirectly, but no less certainly, to *habits* of drunkenness; Christian feeling must indeed be dormant if it is not moved to deep sorrow for the crimes, and roused into determination to abate the cause of them. But I fear that no such determination will, for a long time to come, be of any avail. Warning and remonstrance will be heard from the bench and from the pulpit, from the workhouse and from the madhouse, and from the condemned cell, in vain. For a powerful interest insists upon its right to profit by—to live upon—the degradation and misery of the people; and against that interest, the interests of morality, and of the Christian religion, of mental and material progress, of social and domestic peace, will plead in vain."

§ 129. Let us now turn to the evidence of prisoners themselves. (§ 96). Look into the 12th Report of the *Inspectors of Prisons* for Scotland, and you will find (substituting numbers for names) the following:—

No. 140. "He is in for theft; his sentence is 60 days' imprisonment; he was a farm servant; he attended the Dean Street Sabbath School for six years." Such is his history, and we have three questions to ask him.

"1.—What do you assign as the cause of your falling into error?

"Answer.—Drink.

"2.—What do you think would be the effect, if the number of public-houses were reduced?

"Answer.—If I had to go a mile for it, I should often go without it.

"3.—What is your opinion of the custom of having the grocer's shop with public-house united?

"Answer.—Bad; frequently when a woman goes into one of these groceries, she gets a dram, which is marked provisions."

Now call in No. 142. "He is in for being disorderly; his sentence is 60

days; he has been three years at school, and one year at the Greyfriars' Sabbath school; he was a laborer." Such is his history, and these are his answers:—

" 1.—What do you assign as the cause of your first falling into error?

" Answer.—Drink.

" 2.—What do you think would be the effect, if the number of public-houses were reduced?

" Answer.—If there were none, there would be less drunkenness and less crime.

" 3.—What is your opinion of having the grocers' shop with public-house united?

" Answer.—Very bad; there is temptation in them."

The crime of No. 146 is 'assault; his sentence is 21 days imprisonment; he has been two years at a day and Sabbath-school in the Castle Wynd; he is by trade a hawker,' and here follow his answers:—

" What do you assign as the cause of your first falling into error?

" Answer.—Drink.

" What do you think would be the effect if the number of public-houses were reduced?

" Answer.—It would be much better not to license houses to sell drink, than to put people in prison for getting drunk."

The *Prison Reports* for England are full of similar answers—the all but invariable confession is, 'drink, drink.'\*

§ 130. Mr FREDERIC HILL, late Inspector of Prisons, says:—

" That I am within the truth when I state, as the result of extensive and minute enquiry, that *in four cases out of five*, when an offence has been committed, intoxicating drink has been one of the causes.

" Nothing serves more to explain the good conduct of prisoners (and, under tolerable management, prisoners are, in fact, generally well-behaved and often even affectionate) than their complete withdrawal from the excitement and temptation of intoxicating liquors. *Removed from these, they become different men*, and are no more deserving the epithets which are often applied to them, than person who has ceased to be in a passion merits the name of a madman."+

In the twelfth report on Prisons (Scotland), the Governor of the Edinburgh Prison, thus writes:—

" Upwards of 60 per cent of the whole number of offenders committed to prison in this year, included in the return, had their residence in the High Street, Canongate, Lawnmarket, Castlehill, Netherbow, Cowgate, Grassmarket, Westport, and Candlemaker Row, with the closes and wynds adjoining these places respectively; and it will be further seen from this

\* On Saturday, the 4th of August, 1855, one Joseph Meadows, a young man of 25 years, was hanged in Worcestershire, for the diabolical murder of a respectable girl, only 17 years old, whose parents had refused to allow him to keep company with her! He shot her through the head, poor soul, and looking at her corpse, exclaimed, in the presence of two witnesses, 'I've had my revenge, and I've heard say revenge is sweet, and now I'm satisfied. I was determined that if I did not have her, no one else should.' But a few hours before his death, he wrote a humble and penitential letter to the bereaved parents of his young victim, of which the following is the concluding sentence:— I hope and trust it will be a warning to those that are given to lead a wicked and rebellious life, like I did, until that time. Had I not led that life, it never would have happened; not that I upbraid any of you for it; it is merely to show you all what drink brings on.

+ For further testimony, see *Twelfth Report on Prisons*, 1848.

table, that of the offences committed in the city and suburbs of Edinburgh, upwards of 73 per cent were committed by persons residing in these localities; and it is a striking and significant fact, although not appearing from the return and tables, that although the localities referred to are by far the poorest parts of the city, and comprehend but a small part of it geographically, yet in these localities, where upwards of 73 per cent of the crimes are committed, more than 50 per cent of the spirit licences are held. And it may be safely assumed, that not less than 60 per cent of the drinking-houses, properly so-called, are in these very localities. **THIS CERTAINLY SHOWS THE CLOSE RELATIONSHIP WHICH OBTAINS BETWEEN DRINKING-HOUSES, POVERTY, AND CRIME.**"

On another occasion, the same gentleman makes this remark :—

"Build a church and penitentiary in every street, with all the means and appliances on the side of religion and virtue, and *allow a dram shop to be opened every second or third door, with all its means and appliances towards vice and crime*, and the result will be that, seconded by the inherent depravity of our nature, criminals of all sorts will be produced much faster than they can be reclaimed."

§ 131. Lastly, we present the testimony of our three classes of Justices—the **MAGISTRATES, RECORDERS, and JUDGES OF ASSIZE**.

The Grand Jury, for Lancashire, composed of twenty-one Magistrates, at the Liverpool Summer Assizes for 1840, through Mr W. ENTWISTLE, M.P., their foreman, said :—

"The Grand Jury having concluded their examination of the cases submitted to them, feel it their imperative duty to place on record their opinion, as to the prevalent habit of *drunkenness*, so forcibly alluded to in the charge delivered to them by Mr JUSTICE WIGHTMAN, as being the cause of at least four-fifths of the offences comprised in this, and in almost all other calendars, as well as with regard to the best and most efficient means that can be adopted towards the extinction of that degrading practice." (§ 133.)

The *Shrewsbury Chronicle*, in 1847, contained the following interesting account of the Report of the Magistrates at the Quarter Sessions ; and of their enlightened opinions :—

"The **VISITING JUSTICES** beg particularly to call the attention of the Court to the Report of the Chaplain, and especially to that part relative to the previous intemperate habits of the majority of the prisoners. In reference to the *causes* of their confinement, the chaplain found that it was drunkenness ; for out of the 601, only 23, and they consisted chiefly of children under 16, were of sober habits. Every pains were taken with the prisoners, but notwithstanding, there were more than one-third, or 225 out of 601 prisoners, re-committals."

"Sir BALDWIN LEIGHTON said, if the Chaplain had not taken such great pains in classifying the prisoners, one could hardly suppose there was such a vast number committed for drunkenness ; indeed, he might say, that drunkenness was the cause, immediate or remote, of the committal of every prisoner who was sent to gaol. Perhaps it was impossible for that Court to do a great deal to check the vice of drunkenness ; that must, he believed, rest in a great measure with the farmers of this county ; he believed that *they* could do much more by withdrawing facilities, than either the magistrates or the clergy. He believed that from a very false notion, the farmers imagined that the greater was the consumption of barley, the greater would be their profit. He had no doubt had Father MATHEW come amongst them, they would have had, by this time, a much greater sum saved by temperance than they could realize by the sale of barley."

"The Court assembled on Tuesday at ten o'clock, for the purpose of hearing appeals and trying prisoners. The Hon. THOMAS KENYON, chairman, in delivering his charge to the Grand Jury, regretted to find that most of the crimes now committed were attributable to drunkenness; and to that cause solely was to be attributed the *one-half of the county expenditure for prosecutions.*" (See § 112.)

Mr ROBERTSON GLADSTONE, brother to the late Chancellor of the Exchequer, and a borough magistrate of Liverpool, said before Mr C. VILLIERS's committee (1194) :—“I believe some ‘‘people entertain the idea, that you have no right to select the ‘‘Licensed Victuallers’ business for the imposition of a tax, ‘‘because it is a trade, and trade should be free. Now, I do not ‘‘think the Licensed Victuallers can fairly be placed in that ‘‘category. We are now obliged to maintain a police force of ‘‘something like 900 strong, and we are at this moment paying ‘‘from the Borough funds, the property of the Corporation, ‘‘something like £100,000, for the erection of a new gaol,\* and ‘‘I contend that we should not have to incur so large an expense ‘‘on account of the Police force, nor should we at this moment ‘‘have been put to the necessity of erecting a new gaol, if it ‘‘were not for the existence of the licensed public-houses and the ‘‘beerhouses. I believe they are the source of ALL the mischief, ‘‘and, I believe [if his proposal to reduce them one-half by a ‘‘high-licence duty were acted on], instead of a police force 900 ‘‘strong, something like *one-half* the number would be ample

\* We learn from the *Manchester Examiner* of September 6th, 1855, that that city is in the same predicament as Liverpool. “The Manchester City Gaol was begun in 1846-7 for the accommodation of between 430 and 440 prisoners on the separate system. It was not long opened before it was found that the average number of male and female prisoners far exceeded the accommodation, and that Manchester had expended over £90,000 on a prison too small for the purpose. The dangerous classes increased in numbers, and this increase was often visible alongside a state of comparative commercial prosperity; as if to upbraid our confidence in the theory that crime must absolutely depend upon the pressure of physical wants.”—But Manchester seems less fortunate in its Magistrates than Liverpool—its Mayor, Aldermen, and Councillors want Mr GLADSTONE’s clear sightedness. They are ‘‘astonished’ and ‘‘wonder’ amazingly. In the City Council, Mr GORTRELL said—“At such ratio of increase, what would be the number they would have to provide for in four years hence? Education was now, and had been, on the increase, although all the different modes of education had not been adopted; yet, in spite of Sunday schools, public libraries, and other educational machinery, crime, while business was at a fair average amount, was on the increase. They could not complain of trade, for it was on the increase; yet, notwithstanding this, and all the means of education, crime was also on the increase. There must really be something wrong in the system of punishment adopted.”

“O lame and impotent conclusion!”

Mr Alderman NEILD said—“With regard to the increase in criminals, no one could explain how that arose. Manchester gaol had increased in the number of its prisoners on a par with the New Bailey. In Liverpool there had been a slight diminution, but now there was an increase. In Kirkdale there was a slight increase. In Wakefield the increase was more than in Manchester, and in Knutsford also there was an increase.”—Mr WILLIS, Chief Constable, says:—“The returns of crime which I have the honor to present for the year 1854, exhibit, I am sorry to say, as compared with the returns of the previous year, an increase of 503 prisoners. It is difficult to offer any satisfactory explanation for the increase.”—These worthies authorize drink-houses, and then ‘‘wonder’ at their effects. Let them, to begin with, try the Scotch plan, and have a sort of Sunday Maine Law.

"for every possible emergency that could occur"\*(1171). I think that extraordinary exertions are now made to induce people to become drunkards" (1026). "The Licensed Victuallers frequently attend to oppose the grant of fresh licences? They like to keep the means of making people drunk in their own hands."

§ 132. The RECORDERS and SHERIFFS completely accord with the Justices of the Peace.

Mr JOHN POYNDER, for three years Under-Sheriff of Middlesex, and Clerk for thirty years of Bridewell and Bethlehem hospitals, gives very explicit testimony before the Parliamentary Committee of 1834:—

"Having turned your attention to crimes arising from excessive drinking, are you prepared to state *what proportion* of such crimes bear to the *whole mass* of crime?—My general impression would be, that, both remotely and proximately, there is *no such temptation to crime* as is afforded by the drinking of spirituous liquors particularly; and by the drinking of beer to an improper extent.

"Then of all the causes, you think drunkenness is the *greatest cause*?—I am obliged to say, I think it *is* so.

"From your experience, are you of opinion that excessive drinking is the proximate cause of the *majority of crimes* perpetrated in the metropolis?—I apprehend it to be so."

See also Sheriff WIRE's testimony, the Solicitor to the Licensed Victuallers, § 29.

Sir ARCHIBALD ALISON, F.R.S., Sheriff of Lanarkshire (1849), observes:—"I am decidedly of opinion that drunkenness is the cause of *two-thirds of the crime*, and one-half of the distress, existing among the working classes at this moment."

Dr SAMUEL WARREN, F.R.S., Recorder of Hull, at the Easter Sessions for 1854, said:—"A dram shop has always appeared to me, ever since I began to take an interest in criminal matters, as simply *the half way house to Norfolk Island or the Hulks*." The same gentleman, at the sessions for 1855 (October 19th), addressed the following observations to the Grand Jury:—

"GENTLEMEN.—During the last two months, in a distant and happy solitude, I have had opportunities for reflection, and this subject [of crime] has been seldom absent from my thoughts; but I have nothing new to offer. All I can say is, that I see more clearly than ever—terribly clearly—the connexion between cause and effect, in crime; I can see it in the very act of hideous growth from the twin stems of Intemperance and Ignorance, which themselves take quick and deep root in the soil of man's corrupt heart. While we ought to be laying the axe to the root of the infernal tree, we content ourselves with snipping off leisurely a few of the uppermost leaves and twigs. Is not this merely child's work? idiot's work? May we not be guilty of impious trifling with an awful task set us by God? Do we forget who has told us, that men 'do not gather figs from thistles, nor grapes from thorns'? And thistles and thorns are in the hearts of the

\* If they are the occasion of *all* the mischief, why stop with putting down *one-half* of them? We should vote for total and immediate abolition of *all* sources of evil.

best of us, unrestrained by the grace of God. But how can it be otherwise with the little outcast of society, whom we suffer to grow up day by day, month by month, and year by year, into the ruffian, the robber, the burglar, the murderer,—that is now terrifying a society become helpless from its own weak and guilty apathy! We look on, almost with a horrid sort of interest, while the dog returns to his vomit, the sow to her wallowing in the mire! Of what avail are the mere accents of honied eloquence,—of sympathy and sorrow,—in dealing with such dreadful realities as these? They are mere

‘ Parmacity for an inward bruise.’

Well, then, first of all, let us attack at once, and straining every nerve with a holy energy, the cause—which is to be found, as, alas! we too well know,—in Intemperance and Ignorance. No one doubts it: assent to the proposition is given with complacent readiness; but, alas!

‘ The mighty purpose never is o'erfook,  
‘ Unless the deed go with it.’

Would that a holy crusade could be set on foot—a national movement—against these two inveterate and deadly foes of mankind! I was never heard to speak a syllable with levity or disrespect of the temperance movement, as it is called; for, to me, the sight of a man, especially in humble life, who voluntarily abstains from a pleasure and an excitement which he has found to lead him far astray from virtue, peace, and happiness, is very noble and affecting, as an act of self-denial, which must be acceptable to Almighty God.”

MATTHEW DAVENPORT HILL, Esq., the Recorder of Birmingham, in his address to the Grand Jury of that town, January 5, 1855, spoke as follows:—

“ Those among you who bear in mind the charges which have been delivered from this bench, on the causes of crime, will naturally ask how it is that the enormous consumption of intoxicating liquors which prevails through the land—a source of *crime not only more fertile than any other, but than all others added together*—should have been hitherto passed by, or only have been brought under notice as incidental to some other topic. The subject has occupied my thoughts for years; strange indeed must have been the state of my mind if it had not forced itself on my attention, since the evils arising from the use of intoxicating drinks meet us at every turn. *And for myself I cannot pass an hour in court without being reminded, by the transactions which are put in evidence before me, of the infinite ramifications of this fatal pest.....Crime, gentlemen, is the extreme link in the chain of vice forged by intemperance,—the last step in the dark descent, and thousands who stop short of criminality, yet suffer all the other miseries (and manifold they are) with which the demon Alcohol afflicts his victims!*”

§ 133. It is a sad and an astounding fact, that 29,359 criminals were committed to prison, in England, last year (1854), exclusive of 70,000 committed in the petty courts, of which we have no accurate statistics. Can we adequately conceive of this evil? Ordinary readers glide, almost unaffected, over mere abstract or numerical statements of the most horrible calamities. “ *Four-fifths of this crime of England flows from the Traffic*” is easily said—but is its meaning realized? By the Judge—yes; by the common reader—no. Let us now, by the aid of a Document given at p. 630 of the *Report on Public Houses*, endeavor to translate the numerical statement into the concrete reality. The following contains *all* the convictions under the category of crime named; there were besides two cases of acquittals as accidents:—

COMMITTALS for Trial to the *Lancaster* Assizes, involving  
Charges of Violence against the Person, for the Year ending 15th  
May, 1853 :—

| NO. | INITIALS. | ON WHAT CHARGE.         | CIRCUMSTANCES IN WHICH THE OFFENCE ORIGINATED.                                                                                                                             |
|-----|-----------|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1   | R. N.     | Stabbing his wife . . . | Drinking in a beerhouse.                                                                                                                                                   |
| 2   | M. W.     | Wilful murder . . . .   | All the parties had been drinking together.                                                                                                                                |
| 3   | A. N.     |                         | A beerhouse quarrel.                                                                                                                                                       |
| 4   | B. S.     | Cutting and wounding    | Ditto.                                                                                                                                                                     |
| 5   | J. R.     | Manslaughter . . . .    | A German, attacked by a drunken                                                                                                                                            |
| 6   | C. K.     | Ditto . . . .           | beerhouse keeper, who fell in the struggle.                                                                                                                                |
| 7   | J. H.     | Ditto . . . .           | An up and down fight begun in a <i>public-house</i> .                                                                                                                      |
| 8   | W. W.     | Stabbing . . . .        | A <i>public-house</i> quarrel.                                                                                                                                             |
| 9   | P. R.     | Malicious wounding . .  | Ditto.                                                                                                                                                                     |
| 10  | J. P.     | Manslaughter . . . .    | Ditto.                                                                                                                                                                     |
| 11  | J. C.     | Cutting and wounding    | Ditto.                                                                                                                                                                     |
| 12  | D. P.     | Manslaughter . . . .    | A brutal fight begun in a <i>public-house</i> .                                                                                                                            |
| 13  | W. G.     | Ditto . . . .           | A beerhouse fight.                                                                                                                                                         |
| 14  | J. W.     | Wilful murder . . . .   | A case of a very dark character, begun in a <i>public-house</i> .                                                                                                          |
| 15  | J. P.     | Wilful murder [Con-     | fessed his guilt.] The prisoner, after drinking the whole day at a <i>public house</i> , returned home, and deliberately shot his wife as she was working in their garden. |

§ 134. The JUDGES OF ASSIZE, at home and abroad, have for centuries given but one persistent, honest testimony on this point (§ 48).

In the year 1623, the LORD-KEEPER COVENTRY, in his address to the Circuit Judges, declared that “the licensed alehouses are ‘the public stages of Drunkenness and Disorder.’”

Sir MATTHEW HALE, the ever to be venerated Chief Justice of England, in 1670, bore the following testimony :—

“The places of judicature which I have long held in this kingdom, have given me an opportunity to observe the *original cause* of most of the enormities that have been committed for the space of nearly twenty years; and, by due observation, I have found that if the murders and manslaughters, the burglaries and robberies, the riots and tumults, the adulteries, fornications, rapes, and other enormities that have happened in that time, were divided into five parts, four of them have been the issues and product of excessive drinking, of *tavern* or *alehouse drinking*.”

No one, we presume, ever inverts the connexion asserted—no one dreams that men are *first* criminals, and *then* drinkers : everybody knows to a certainty that the criminal is *first* ‘primed’ and then ‘hardened’ by drink—that the quarrels take place

over the cups, and not *before* them\*—and that the abstemious criminal is a rare social phenomenon. “To the best of my belief,” said Dr WARREN, in his charge to the Grand Jury at Hull, already cited, “No Temperance man ever stood at that ‘bar to receive judgment from this seat—in my time, at least; “while *seven* out of every *ten* criminals who have done so have “been brought there by intoxicating liquor. I have talked with “many of them afterwards in prison, and they have owned it “with tears of agony.”

We have already had occasion to note (§ 24) that smuggling and illicit distillation, by offering popular *facilities* for drinking, invariably increase crime: as, contrarywise, the effectual suppression of these facilities, by means of moderate duties, and an active revenue service, is followed by a striking diminution of it. Ireland affords a sorrowful example. The baneful practice of private distillation, when introduced into the county Cavan, rapidly corrupted the simple manners and amiable characteristics of its moral population. The easy access to whisky was followed by a fearful profligacy of habits, both in males and females. Vices and crimes, before unknown, were of daily occurrence—chastity was flouted—the marriage pledge violated—and even infanticide became frequent.

Mr JUSTICE FLETCHER, in his charge to the Grand Jury in March, 1822, thus refers to the facts:—

“When first I visited the town of Lifford, it did not afford as much criminal business as would give employment to a Judge for a single day;—what is now the situation? There is not a crime in the catalogue of the criminal law of which the calendar of that county does not afford an example. Such is the effect of illicit distillation.”† That is, of the use of the whisky, whose sale is promoted by the facilities of distillation—whether illicit or legalized.

LORD GILLIES, in 1832, directed the attention of the Sheriff and Magistrates of Glasgow, to the fact that there were not less than 1,300 Public-houses in the Royalty. “He could not but be sensible of the fact that the *facilities* thus afforded to the indulgence of intemperate habits were the *principal cause of the crime that prevailed*; he therefore directed their most serious attention to the lessening of Public-houses.”

The late JUDGE GURNEY declared that “almost every crime has its *origin*, more or less, in drunkenness.” Perhaps the correcter phrase would have been, ‘the excitement of drinking.’

JUDGE ERSKINE declared, at the Salisbury assizes, in 1842, when sentencing a gentleman to six months’ hard labour, for a crime committed through strong drink, that “ninety-nine cases out of every hundred were from the same cause.”

\* “*Il a le vin mauvais*,”—French proverb. ‘He quarrels in his cups.’

† *Charge of Judge Fletcher to the grand jury of county Cavan*. Dublin, 1822, p. 6.

JUDGE COLERIDGE, at the Oxford assizes, declared "that he scarce ever knew a case brought before him which was not directly or indirectly connected with intoxicating liquors." In his address to the Grand Jury at the Hereford assizes, he declared—"In every one of these cases I believe the crime will be distinctly traced to the habit of intoxication." At the Yorkshire Spring Assizes, in 1848, he said:—"Liquor has either been the temptation before-hand to robbery, to get something to purchase it; or it is the provocation under the influence of liquor that causes them to quarrel, and perhaps commit murder; or it is the liquors upon which the fruits that have been obtained by robbery is generally spent; and it seems to me that but for the cases where offences have been brought on by the excessive use of intoxicating liquors, the Courts of Justice might be nearly shut up."

MR JUSTICE PATTESON, addressing the Grand Jury at Norwich, said, "If it were not for this drinking, you and I would have nothing to do."

BARON ALDERSON, in his charge to the Grand Jury, at the York assizes (1844), observed, "that a great proportion of the crime to be brought forward, arose from the vice of drunkenness alone. If they took away from the calendar all those cases in which drunkenness had some connexion, either with the person accused, or the accusing party, it would leave that large calendar a very small one." And again, when passing sentence on a man who had killed another in a drunken fray, he remarked, "If all men could be dissuaded from the use of intoxicating liquors, THE OFFICE OF JUDGE WOULD BE A SINECURE."

JUDGE WIGHTMAN, in his address to the Grand Jury, at the Crown Court, Liverpool, in August 1846, said, "that of ninety-two prisoners whose names were on the calendar, six were charged with wilful murder, twelve with manslaughter, thirteen with malicious injury to the person, sixteen with burglary, and eight with highway robbery, accompanied with violence to the person. He found, from a perusal of the depositions, one unfailing cause of four-fifths of these crimes was, as it was in every other calendar, the besetting sin of drunkenness. In almost all the cases of personal violence and injury, the scene was a public-house or a beershop."\* The same enlightened judge, in his charge at the Oxford Spring Assizes for 1852, observed "that three-fourths of the cases had their origin in Public-houses and Beershops, and in that recklessness and want of self-respect which was produced among the laboring population by frequenting such places."

MR JUSTICE WILLIAMS, in his charge to the jury at York, in

\* As a cure for this class of crimes, how exquisitely absurd is the *Economist's* doctrine of a cheap loaf. It is only to be equalled by the same paper's assertion, that Judges, Jailers, and even Criminals themselves, are all mistaken as to drinking having much to do with crime!

1846, observed "that the experience of these assizes had proved, "that all the crime which had filled the castle was to be traced, "either in one way or other, to the habit of drunkenness, which "appeared to be very prevalent, and tended so much to the dis- "grace of that large county."

At the Perth assizes, in 1850, LORD IVORY said :—"Out of 52 cases, more than *one-third* were attended with violence, and "some of these were of a very aggravated character. He "regretted also to say, that *almost the whole of them had arisen* "from, or been connected with, drink."

In the testimony that follows, we have words of eloquence and power that could only acquire additional emphasis by the solemn circumstances of the occasion, when the Judge's words were uttered ere passing from the earthly tribunal to the Grand Assize !

On Monday, March 13, 1854, Mr JUSTICE TALFOURD, while on the bench, and addressing the Grand Jury, at Stafford Court-house, suddenly expired. The cause of death was apoplexy, brought on, as it appeared, *by the excited feelings under which his lordship was addressing the Grand Jury, in reference to the atrocious crimes by which the calendar of that county was stained*, even more than on ordinary occasions : owing, as it appeared to his lordship, to the increased prosperity of the district, which furnished the working classes with more ample means for squandering upon indulgence in intoxicating drinks. The calendar contained a list of 100 prisoners, many of them charged with the most atrocious crimes against life, person, and property. There were 17 cases of manslaughter, and 30 cases where persons were charged with the crime of highway robbery.

"No doubt, *the exciting cause* in the far larger number of these cases—the exciting cause that every judge has to deplore in every county of this land—is that which was justly called in the admirable discourse to which I listened yesterday from the sheriff's chaplain, '*the greatest English vice*,' which makes us a bye word and a reproach amongst nations, who in other respects are inferior to us, and have not the same noble principles of Christianity to guide, and direct them—I mean the vice of drunkenness. No doubt that this, in most of these cases, is the immediate cause, and it is a cause in two ways of the crimes which will come before you, and especially of the crime of highway robbery; for whereas on the one hand it stirs up *evil, awakens malice, and kindles the slumbering passions of the human heart, and puts the reason into a state of twilight*: so, on the other hand, it points out the victim as the person to be robbed, by presenting temptations to those who see him exposing his money in public-house after public-house—or in a state of drunkenness he finds himself a sharer in a sin from which domestic ties should keep him, and is overtaken by his partner in that sin, who adds to it another crime, or he is marked out by some of her wicked associates. One great evil of this circumstance is, I think you will find, looking at the depositions one after the other, that *it is a mere repetition of the same story over again*—of *some man who has gone from public-house to public house spending his money* and exhibiting his money, and is marked out by those who observe him as the fitting object for plunder, when his senses are obscured, and who is made the subject of an attack under those

circumstances which enable the parties to escape from the consequences; because, although the story may be perfectly true which the prosecutor in this case tells—although it may be vividly felt by him—yet he is obliged to confess—”

Here the learned judge suddenly ceased speaking, and in a few minutes the melancholy fact became painfully manifest, that those who had heard him, had been listening to HIS LAST WORDS.

LORD CAMPBELL, Chief Justice of England, in addressing the Grand Jury at Chester, in 1855, made these observations:—

“ Gentlemen, the calendar that lies before me shows a most melancholy list of crimes that have been committed in this county in a short space of time. I have lately visited all the counties in South Wales as her Majesty's representative, to administer justice in her name, and in all of them the offences were extremely few. In two of those counties—in the county of Cardigan, and the county of Radnor—there was not one single prisoner to be tried; so that I had the satisfaction of receiving *white gloves* from the sheriff, as an emblem of the purity of those counties.\* It is a very different case in this county; there is a calendar lying before me that is quite appalling. It is only three or four months since the Assizes for the Spring were held in this county, and the gaol was delivered; and now there is a list which is most tremendous and most heart rending. Not only are the cases very numerous, but they are of a deep dye, and there is hardly a crime to which the depravity of human nature is inclined which is not to be found in the calendar. Here lies before me the list of crimes in alphabetical order, beginning with bigamy; and under most of these heads there is a considerable number of cases—bigamy, *burglary*, concealment of birth, *damaging machinery*, *forgery*, *housebreaking*, *manslaughter*, *murder*, *robbery*, and *crimes* some of which are not to be named among Christians. Gentlemen, this is a very sad spectacle. I would impute no blame to you; I have no doubt that you have exerted yourselves as magistrates that the law should be preserved, that *property and life should be safe*; but it is sad to think that as material prosperity increases, crimes, in some parts of the country at least, seem to increase. Gentlemen, I do hope that by the SPREAD OF EDUCATION, and by the RELIGIOUS INSTRUCTION communicated by the clergy to those under their spiritual care, that this state of things may be improved.”+

Our own doctrine of the relation between Education, Intemperance, and Crime, has been already stated and enforced. We believe Education and the Traffic to have *opposite* tendencies; to be engaged in an unequal encounter; and hence, we *expect* that those who are first educated by our schools, will often in the second instance become depraved by our Public-houses. Education alone, therefore, will not do. We must bring our Institutions, and hence our habits, into harmony with the theory of duty taught. Our judges, however, do not see through this

\* A fact stated in § 121 may throw some light on this state of things, by way of contrast.

+ Without at all desiring the Schoolmasters or the Clergy to relax their well meant efforts, we must be permitted to inform Lord CAMPBELL that he has unaccountably overlooked the fact, that Cheshire has already far more than the average of Education; but also more than the average of Public-house facilities. Crime is the consequence, notwithstanding Education; since Temptation and Appetite are stronger than Instruction.

philosophy: and even when they acknowledge the evil, are exceeding chary in meeting it, point blank, with a *remedy* suited and sufficient to the case. In the Colonies, it is not so. It seems as though men at the antipodes—liberated from conventionalisms, and breathing a freer atmosphere—could see more directly into the heart of an evil, and speak accordingly. Let us now hearken to one of the last of our English judges who has spoken on Drunkenness as a cause of crime, and contrast his statements with those of our Colonial Chief-Justices, who give forth a distincter sound.

At the Durham Summer Assizes, of 1854, MR BARON PLATT remarked:—

*"The cases in the calendar do not appear to invite particular observation, but there are other appearances which I own somewhat struck me. There have been annual returns made of the crime and convictions throughout the kingdom; and a conclusion was drawn from these returns with reference to the causes of crime. I throw out of the scale entirely the English vice of drunkenness, which is more productive of crime and ruin than perhaps any vice in the kingdom. It is very remarkable that it was found that those who are entirely ignorant, and those who were imperfectly instructed, constituted together nine out of ten of those convicted. A conclusion has been drawn from it, that those who were imperfectly educated, or, in short, those to whom it was a labor to read or write, stood precisely in the same situation as those who could do neither. But your calendar this time certainly does not fortify that notion, because I find that out of the forty-eight, one-half only belong to either of those two classes; and that crime, therefore, has gone forward among those who are educated in a better manner, or, perhaps more fairly it might be stated, that education has not put down crime to the extent it had been supposed to do. But that it has diminished it, very little doubt can be entertained, because, at present, the numbers of your calendar stand thus: those who are totally ignorant, 11; imperfectly instructed, 19; those who can read well, 10; those well instructed, 1. So that, at all events, you see as you travel up to education, there is, beyond all question, a diminished amount of criminals. There are certainly many other elements which fall into the consideration, and which ought not to be forgotten—poverty and distress, which may happen to those not in a humble condition of instruction; they may be placed in situations of temptation, not offered to those better instructed. I merely point out those figures to you, to show that education alone would not do; and perhaps the ground of it, and the source of it, may be, that there has been a great spirit to educate—that is, to give secular instruction without a supply of a moral description;—without the one goes hand in hand with the other, you are only putting in the hands of the evil one a power which ought to be elsewhere."*

At the Liverpool Assizes, August 23rd, 24th, 1854, Baron PLATT had to try a murder case, many cases of cutting and wounding, and a case of robbery, all connected with the dramshop and public-house. He observed, in the first case,—the murder of a brother-in-law, by a person who *bore the most excellent character*, and who very rarely drank,—“More mischief is done by drunkenness than by any vice in the country,—murders, manslaughters, cuttings and woundings—all sorts of *brutalities*.”

At the Newcastle Summer Assizes, of 1855, he observed :—

"It is the practice of gangs of thieves to infest the public-houses and beer shops of this town on a Saturday night, and to take the opportunity of throwing themselves into the society of industrious men, who come there intending to drink a glass of beer, but ending, very likely, in *intoxication*. The thieves watch them to the public-houses. They go thither, perhaps, without them, but they fall into their company ; and the unfortunate man, if he happen to take a glass too much that night, is sure to be dragged to one of the arches, not far distant from the very spot where I am, and there he is knocked down, throttled, his life put in peril, and his purse endangered. It does seem that you will find by the calendar, that *drunkenness is at the bottom of one-half of this mischief*. Thieves would go home without their plunder if men would keep sober ; but we find either that the thieves themselves make themselves desperate by *inspiriting themselves with drink*, or else the unfortunate man who has the plunder to be taken from him, makes himself a victim by his conduct on the Saturday night. It is grievous conduct ; but drunkenness here, as it is almost all over the kingdom, is the vice of the people. I am afraid that this crime and this vice of drunkenness is so strongly implanted among us that we cannot easily eradicate it."

Mr JUSTICE CRESSWELL, in his charge to the Grand Jury at the Worcester Spring Assizes, 1856, observed :—

"It was impossible to look over the calendar of that county without being struck by the numerous charges of offences against the person. He found several manslaughters, a vast number of cases of wounding, and several highway robberies with violence. Upon looking through the depositions, *the cause of this was apparent*. In this county, even more than in many others, he had occasion to notice evils of the same character. *Habits of intemperance prevailed among the lower classes to a shocking degree*. He mentioned this in order that the attention of gentlemen resident in the county might be drawn to the subject, and that they might devise some means by which temperance might be advanced among the people.\* From these habits of drunkenness quarrels arose, manslaughters resulted, stabbing and wounding followed ; and the intoxication of others tempted those who were dishonest, and the temperate were assaulted, robbed, and beaten."

Their learned Colonial brethren shall now show their Lordships how 'easily' Intemperance might be checked, and how greatly Temperance may be advanced among the people.

§ 135. Sir A. STEPHENS, Chief Justice of New South Wales, in summing up a case in June, 1854, remarked on the fact, "that *every case* hitherto tried at these assizes had its origin in drink. If there were no such things, the criminal court might 'close.'"

Again, on another occasion, he has a clear reference to immediate suppression :—

"There is, however, in but too many of the cases before me, one unhappy and extensive cause of crime, too palpable and obvious to admit of doubt, in the mind of any man. I have drawn attention to it often before, and

\* The learned judge does not fall into the fallacy of proposing 'School Education' as a remedy. Worcester has above twice the crime of either Durham, Cumberland, or Westmoreland ; and has also more religious instruction and secular teaching.

more than once from this place; and I do so now once again, in terms of earnest admonition and warning. One Assize after another passes by, exhibiting drunkenness to the public view, with its dreadful train of evils; and men lament them, or seem to do so for the moment;—but what effectually is done? Another circuit comes to renew the painful scenes witnessed only six months previously; and to show that the same sad atrocities, from the same degrading cause, still continue. But, when a habit of indulging in the use of spirits has been established, *while the means of such indulgence are accessible*, and the indulgence itself is not thought wrong, such atrocities will continue in this colony to the end of time. I speak of drunkenness, alone in one view: as the cause and occasion of crime; which you and I are here alike to enquire into and repress. And I would suggest, solemnly, to those who hear me, whether, unless all which I have said be a fable, it is not the duty, as it is certainly the interest, of every man,—whatever his station or employment in life,—to direct his most serious attention to the facts here laid before him. Let him, then, determine whether, by decided and active exertion, the hateful and alarming vice of drunkenness might not, to at least a very great and hitherto unequalled extent, be immediately depressed, and ultimately destroyed."

Sir WILLIAM A'BECKETT, the Chief Justice of Victoria, while on a visit to this country in 1854, made this noble declaration:—  
 "I say advisedly, that in nine cases out of ten that have come before me judicially in Australia, intoxication or the public-house was directly or indirectly the cause...So long as the public-house stands, so long as spirits, wine, or strong beer can be bought, they will continue to be bought by the class to whom they are most dangerous; and nothing but the certain impossibility of the supply will ever fit their minds to be the recipients of anything better than now fills them, either in intellect, morals, or tastes. In short, turn-on whatever streams you may for supplying the physical and mental wants of the working class, you will find them all more or less polluted by the underlying mudbank of drunkenness. *Until this has been removed, the soil beneath will never be reached*, and the waters distributed over its surface will either be diluted into superficial slime above it, or pass on without having added to its purification or culture. For this reason I would advocate here, as I did in Australia, the principle of a Maine Law."

§ 136. We have now finished the picture of the grosser and more outward evils of the Traffic, which we attempted to sketch. Would our pencil were skilfuller, and our shadows darker, so that we might fully portray the Thing! The great enemies of Civilization have been enumerated, and their workings revealed by the impressive eloquence of FACTS at the least. *Drunkenness*, in its folly, its revel, and its beastliness, has staggered across the vision,—*Poverty*, clothed with the rags of innocence and the filth of vice, has filed past,—*Ignorance*, with her sightless orbs, and her dim and hopeless children, have groped on to the darkness beyond,—*Prostitution*, in flaunting robes of guilt, with heart-on-fire of hell, has gone, shrieking and mocking, onwards to the flowing stream beneath 'the Bridge of Sighs',—

*Disease* has withdrawn its curtain, that we might see its lazaret victims stretched on their 'beds abhorred',—*Idiocy*, with incoherent gibberings and lack-lustre eyes, has shown itself,—*Insanity*, with her multiplied children, here 'moping melancholy', there raving madness, have also come up and vanished from the sickened sight,—*Brutal Lust*, fiercely glaring upon outraged chastity, has stalked by,—and the fearful panorama has been closed with *Crime*, appareled in garments purple with the blood of victims !

Were the great social fountain of these evils dried up, how infinite would be the gains of Civilization ! That fountain is the TRAFFIC. Reader ! will you help our 'Holy Alliance' to seal it up ? Do you ask if it be possible to an enlightened nation ? We point to the *actual*. The starry banners of the West wave over the victorious battle-fields of PROHIBITION.

## CHAPTER VII.

THAT THE HISTORY OF RESTRICTIVE LEGISLATION IN NORTH AMERICA, AND THE EXPERIMENTS OF A PROHIBITORY LIQUOR LAW, ILLUSTRATE AND CONFIRM THE POSITIONS OF THE ALLIANCE.

## I.

§ 137. Prohibitory Legislation in the United States of America is, as with ourselves, but the gradual development of an *old* principle. There is, however, a difference in the history. The people of the United States are at once less conservative and more practical than those of the Old Country. This arises, no doubt, from the absence of various Conventional and Repressive Agencies that exist among ourselves, as well as from those pressing necessities of material conquest and progress which so incessantly spur them onwards. If it gives them less facilities for speculative thought, it creates a clearness of insight, a practical perception of the adaptation of means to ends, and a decisiveness of purpose and action, which, for their work and destiny, are most valuable compensations. Whilst *we* are talking, formulating, arguing, they are doing and reaping.

America, as a consequence, is more susceptible of the action of fresh ideas, which, combined with her democracy, cause political and social movements to spring more quickly to maturity, and, when based upon truth and sound policy, permanently to establish themselves as Institutions. Here we cling tenaciously to the traditions of the past; and a new truth, therefore, has to fight its way through a host of antagonisms, over the social *debris* of a thousand years, before it can plant its banner securely upon the mountain summit. To use the reverse figure of TENNYSON, England is

A land of settled government;  
A land of just and old renown;  
Where Freedom broadens slowly down  
*From precedent to precedent.*

Happily, however, in both countries there is the inheritance of the Common Law, and much of the same reverence for the landmarks of the past.

The fundamental difference of Circumstance and Character reverses the working of the Maine Law agitation in the two countries. *Here* the question must be made, primarily, a Social

question—a question of order, pauperism, and taxation—a balance of Social advantages or disadvantages, of convenience or inconvenience—and, in arguing the point, it will be found that we have to go backward, step by step, to the underlying philosophy, physiological and moral, founded on the NATURE of the thing traded in. The Americans began where we shall end. The problem with them is historically less complicated: it is at once a practical necessity and the application of an established opinion as to the nature of intoxicating drinks: it is, in point of fact, the History of the Temperance Enterprise. That enterprise has had its five stages, and is destined to its sixth, ere it reach the culminating point which shall usher in the crowning epoch of Civilization.\*

1. THE PERIOD OF CHAOS, when darkness brooded over the elements of Social Life. In the latter part of the 18th century, and the first quarter of the 19th, the United States were in the same condition, morally regarded, that Sweden is now. The freedom—approaching to licentiousness in the large cities—which the people exercised, and at a period of great political and war-like excitement—the abundance of their means—the cheapness of liquor, with an almost open traffic, and other facilities for its purchase—had produced their inevitable fruits. The country was overrun with intemperance, the cities overflowing with disorder, the poorhouses filled with paupers, the gaols crowded with criminals—the Army, the Navy, and the Populace, were alike cursed with the Traffic in Rum. Yet from the earliest period of the history of the States the sale of liquor had been looked upon with suspicion, and the worst forms of it absolutely prohibited. If the reader will refer to the 14th Chapter of BANCROFT's *History of the United States*, he will find, under the date of A.D. 1676, a Summary of a New Constitution for *Virginia*, in place of the tyrannical one of the Aristocratic Proprietary. We quote from the last sentence, and the appended note from HENING.

“THE SALE OF WINES AND ARDENT SPIRITS WAS ABSOLUTELY  
“PROHIBITED (if not in Jamestown, yet otherwise) THROUGHOUT  
“THE WHOLE COUNTRY.”

Hening, ii. 361. “Ordinances to sell and utter man's meate,  
“horse meate, beer and syder, but no other strong drink what-  
“soever.”

The evils of distillation attracted the notice of the great patriots of the States at one of their first Congresses. On the 27th February, 1777, the following resolution appears to have passed unanimously:—

“Resolved, that it be recommended to the several Legislatures  
“in the United States immediately to pass Laws the most effec-

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\* Namely, 1, A confused perception of the EVIL. 2, Attempts at Regulating the machinery of mischief. 3, Era of vague Temperance. 4, That of Total Abstinence. 5, The no-license agitation. 6, The epoch of Prohibitive State-Law.

"tual for putting an *immediate stop* to the pernicious practice  
"of *Distilling Grain*, by which the most extensive evils are likely  
"to be derived, if not quickly prevented."\*

In March 1788, an Act passed the Legislature of the Empire State, entitled "An Act to lay a duty on strong liquors, and for the better regulation of Inns and Taverns." It provided that the Commissioners of Excise should not grant permits to any person to sell strong drink and spirituous liquors for the purpose of keeping a tavern, unless it should appear to them that such inn or tavern was *necessary* for the accommodation of travellers, and that the person applying for the permit was of *good character*; and further, that no person should sell strong drink, or spirituous liquors, *to be drank in his house, without first entering into a recognizance not to keep a disorderly, or gambling house*—and that if any person shall be convicted of any offence against this act, it should be lawful for the Court of General Sessions to suppress his permit.†

It is clear, therefore, that the *old* laws of the States acknowledge that the Sale of Liquor, without a *special permit* from the proper officers, is a social offence.

At last the enemy was unmasked, and attacked in the very stronghold of popular prejudice.

A distinguished Physician of Philadelphia, Dr BENJAMIN RUSH, announced that doctrine which ultimately became the basis of a radical Reformation. We refer to the publication of his *Medical Inquiries* in 1793. After combatting the errors of popular opinion, and enumerating some of the chief disorders engendered by the *use* (not abuse) of Ardent Spirits, he says—  
"It would take a volume to describe *how much* other disorders, "natural to the human body, are increased and complicated by "them. Every species of inflammatory and putrid fever is rendered *more frequent and more dangerous*, by the use of Spirituous Liquors."‡ He thus struck boldly at the double superstition—the virtue of alcohol as diet, and its prophylactic power as medicine. The papers excited enquiry, gradually attracted the attention of reflecting men in his own profession, and, finally, of the reading public. In 1804, he reproduced these views—in a pamphlet shape, which procured a wide circulation. || Philan-

\* DR BENJAMIN FRANKLIN, DR BENJAMIN RUSH, and other signers of the Declaration of Independence, were members of this Congress.

+ A similar act was passed April 7th, 1801, which prohibited the *sale of spirituous liquors by retail, or to be drank in the house of the seller*, and restrained and limited the power of the Commissioners of Excise in granting licences; and contained a further provision, that all offences against any of its provisions should be deemed *misdemeanors*, punishable by fine and imprisonment. This act was embodied in the Revised Laws of 1813.

‡ *Medical Inquiries*: by BENJAMIN RUSH, M.D., Philadelphia, 1793. ii, p. 62.

|| The formation of the first Temperance Society in modern times was the consequence. It was instituted in Moreau, Saratoga County, New York, on the 13th of April, 1808, under the appellation of "The Union Temperate-Society of Moreau and Northumberland." DR H. J. CLARK was the originator of this idea of *social-union* for suppressing the tyranny of *social custom*.

thropists, Senators, and the better part of the people, naturally began to enquire—*If this agent of disease, this physical and moral pestilence, goes on, what will be the end?* Happily, and providentially for the world, the thought did not then occur, either of Popular Voluntary *Abstinence*, or of National *Prohibition* of the Traffic, neither of which, apart from each other, is adequate to cope with the evil. Such measures would probably have been rejected as wild and extreme at that time—though History, in illustrating the logic of necessity, was destined to record both developments. Supposing the Traffic had been suppressed, we might have lost the grand lesson of a Nation's abstinence: supposing *Abstinence* exclusively had been tried and trusted, we should have lost the instructive lessons of 'Licence,' and then the Traffic, in due course reviving, the work would require to be renewed. The evil was perceived—and the 'Throne of Iniquity' was rising dimly before the sight.

2. The friends of Temperance, however, were not destined to the fate of SISYPHUS. At this period, it is true, they looked at the *Dram Shop*, rather than at the *dram*. They did not yet see that the Grog seller wielded his fatal power chiefly *through the seductiveness of the liquor* which he sold. But they did see what is also vastly important, that he tempted to the use, both by the 'House' and the paraphernalia of his trade, and by necessity of interest. They saw, even then, what our Parliamentary Committee of 1854 seems only just to have discovered—that a Licensed house is a Licensed *snare*. They began to see, likewise, that the formula—"the more grog-shops the more drunkenness"—expressed a *nexus* of great moment to them. Out of these workings of light, the era of Systematic REGULATION sprang up. They thought, at first, as the Londoners had thought before them, that their enemy was "the Worm of the Still": that if they could destroy it, safety might be secured, and civilization speed on! The State began by attempting to restrict and limit, as the mother country had done before. It dictated *where, when, how*, and in what quantity, spirits should be vended! In the First Part of the *Revised Statutes* of the State of New York, passed in 1829, title 9, chapter 30, runs as follows:—"Of excise and the regulation of taverns and groceries" (selling spirits). It prohibits, under a penalty, the sale of liquors *in less quantities than five gallons*, or to be drunk in the house of a seller without a licence. In Philadelphia, the Traffic was for a time, as regards Sunday, put upon a level with other trades. What was the practical result and value of these attempts at repression? In some towns and districts, where the people were sufficiently alive to their interest materially to lessen the number of dram-shops, and even to close them altogether on the Sabbath, manifest benefit accrued. In 1819, for instance, the Mayor of New York, in answer to enquiries as to the result of diminishing materially the number of *retail* groggeries, says—"The effect is very obvious;

"drunken people are much seldomer seen in our streets. *It has had a very important influence on the morals of the community, and lessened the number of crimes.*" Crimes have "numerically decreased, and comparatively have very greatly diminished. This great benefit to the community is chiefly to be imputed to THE SUPPRESSION OF SO MANY OF THESE POISON-SHOPS, where a man might buy rum enough to make himself "beastly drunk for six cents." But such a mode of action depended upon the whim, the moral tone, and circumstances varying in various districts, and was in itself so partial that it could not, and did not for long, stem the demoralizing stream which swelled up and swept on, carrying upon its fiery bosom the wrecks of home, and health, and social prosperity. In 1820, we find it officially stated,† "that *three-fourths* of the Assaults "and Batteries committed in the city and county of New York, "and brought before the Court of Sessions, proceed from the "degrading use of Ardent Spirits." In fine, the issue proclaimed that, nationally regarded, Regulation was a nullity and a failure.

3. But still the friends of order hoped and worked on. If they could not successfully combat the evil through the active and legalized Agency which disseminated it, they would assail the instrument of the mischief, and wrench the sword from the grasp of the foe! Thus tardy is the development of a great Truth! As for ages men had been barrenly declaiming against Intemperance—the effect, instead of aiming to abolish its cause, and had, therefore, still to deplore its reign—so our reformers, at this epoch, were slow to perceive that to dissipate the popular or the individual notions of the goodness of the drink—even to persuade of the badness of it—did by no means compass the whole CAUSATION of this social evil. *Conventional sanctions and Animal impulses* are the potencies that perpetually lead astray, in spite of abstract opinions and theoretical teachings.‡ Men know the right, but pursue the wrong: Sin else would be a mere mistake of the intellect; whereas it is *wilful* wrong—a violation of conscience and acknowledged law. This explains the failure of *all* moral and religious teaching—of *all* confessions and

\* *Report of Society for Prevention of Pauperism in New York.* 1820. p. 47.

+ *Ibid.* p. 9.

‡ The following advertisement, extracted from Hone's *Every Day Book*, is more than a curiosity. We hear in it, thousands of victims crying to society—*Deliver us from temptation!*—

"WHEREAS, the subscriber, through the pernicious habit of drinking, has greatly hurt himself in purse and person, and rendered himself odious to all his acquaintance; and finding there is no possibility of breaking off from the said practice but through the impossibility to find the liquor, he therefore begs and prays that no person will sell him for money, or on trust, any sort of spirituous liquors, as he will not in future pay for it, but will prosecute any one for an action of damage against the temporal and eternal interests of the public's humble, serious, and sober servant,

"Witness, WILLIAM ANDREWS.

"JAMES CHALMERS,

"Nassau, June 28th, 1795."

pledges (those of the Temperance World, of course, included). The last part of the Truth is now being developed. It necessitates not only that the Teetotaler should oppose the domestic drinking usages, but the social and the legal—that, as *citizen*, he should refuse to license that social agency which destroys his work as moralist, teacher, and parent. In brief, as the author of that notable book, *The Alpha*, observes, since “Mankind have the power to rid themselves of these influences—all such influences *should be removed*.” Trumpet notes were heard over wide districts of the country—Independent warriors, girding on their armour, and giving note of battle. These soon gathered to a head, and the era of TEMPERANCE was inaugurated. Amongst the most distinguished was the late JUSTIN EDWARDS, D.D., the able author of the earlier Reports of the American Temperance Society. An annual sermon against ‘Intemperance’ had been preached for years in Boston, but he was among the first to perceive and promulgate the *specific* remedy of abstinence, as also the first, subsequently, to expose the immorality of the Traffic. While pastor of the Church at Andover, in 1815, he kept the idea distinctly before his people, and pressed the truth upon the public mind until the formation of the National Society, of which, leaving his parish, he became, and so long continued, Corresponding Secretary. In February, 1826, the ‘American Temperance Society’ was formed at Boston, and, in March, the Executive Committee, consisting of Dr LEONARD WOODS, Dr JUSTIN EDWARDS, and Messrs TAPPAN, ODIORNE, and WILDER, issued their manifesto. *Distilled liquors were proscribed*. In the latter part of the same year, Professor PALFREY’s *Sermons*, Dr LYMAN BEECHER’s celebrated *Discourses*, and Dr MUSSEY’s address before the Medical Convention of New Hampshire, successively appeared. *Total Abstinence from Ardent Spirits* was the doctrine enforced, as interest and as duty, on the ground of health, social and individual safety, and religious feeling. The people accepted the teaching as a New Gospel to them—its necessity was felt—and it speedily became regarded by the Churches as immoral to drink spirits. Before eight years had passed, more than 10,000 drunkards were known to have been reclaimed. Five more years passed away, and behold another change! Where were many of their reformed drunkards? Where their promising young men? Drawn partly into the vortex of the old Traffic, and partly into a new form of social drinking. Both in private circles and in Public-houses, artificial mixtures and wines, but especially *cider* (the light *apple-wine* of America), were supplanting rum, but *doing Rum’s work*. The temperance army, then, must move up higher—must outflank the enemy—must establish all round him the lines of investment. In very truth, they attempted this—nay, fancied they had *done* it, in hoisting a broader Banner, and in altering the watchword of the old one. It was a mistake: they fought

the enemy, it is true, but they fought him with unequal weapons, and they did not even assault his *legal* entrenchments.

4. The friends of Temperance, we said, lifted up a new banner, inscribed with the new motto, 'TOTAL ABSTINENCE FROM ALL THAT CAN INTOXICATE.' The armies enlisted under this ensign marched with firmer step to greater and more assured victories. Their Waterloos were many. The *morale* of the movement was higher—more logical and consistent—more majestic. The deserters, too, were far fewer—and many wonderful changes, almost social miracles, resulted. Still, their triumphs could only be carried to a certain extent.\* A vast mass of evil defied all their efforts. By-and-bye, more light appeared. They surveyed the forces arrayed against them, and ascertained the *methods* of the enemy's attack. They marked the insidious, but certain and deadly effect of the *Traffic*; it was a licensed system of seduction, ensnaring their people, and frustrating their best attempts at amelioration. Two truths broke in upon them: *first*, that Pauperism, Crime, and Taxation resulted directly from the Traffic, irrespective of the more or less of their success in advocating moral temperance; *second*, they began to feel that, without the suppression of the Traffic, the labor of reform must be unending and unsatisfactory; while, with it, each year would enable them to *hold* the conquests they had gained, and to add to them others more glorious.

"The law," said Judge PLATT, in 1833, "which licenses the sale of Ardent Spirits, is an *impediment* to the Temperance Reformation. Whenever public opinion and the moral sense of our community shall be so far corrected and matured as to regard them in their true light, and when the public safety shall be thought to require it, dram-shops will be indictable, at common law, as *public nuisances*." When the venders charged the Temperance friends with departing from their original programme, Mr GERRIT SMITH (now Senator) nobly replied:—"I admit that a grand object within the scope of the constitution and labors of the society is that of *persuading* our fellow-men to refrain from ardent spirit; but I do not see why we might not also seek to *remove the hindrances* to this accomplishment. Now, the manufacture and sale of ardent spirit constitute confessedly a very great hindrance to the work of inducing our fellow-men to quit the drinking of it;† Could a Society, that should require its

\* The *Morning Post*, of July 11th, 1850, in some pleasant remarks on the Maine Law, concedes this part of our position:—

"We would not depreciate the enthusiasm of the total-abstinence pledge; but 'enthusiasm is not a normal condition—it is a sentiment which, by its very nature, cannot be permanent.'

Just so—hence we would fan the flame of enthusiasm, which shall dissolve the concreta of National Custom and Thought, and then, after separating the dross, permit the pure Truth to *crystallize* in the mould of permanent Law—at once a utility and a grace.

† *Permanent Documents*, vol. I., p. 293.

members to abstain from purchasing lottery tickets, be expected to preserve silence on the subject of Lottery-offices? Could a Society, formed to discountenance gambling, be expected to look with unconcern on the licensed allurements of *gambling-houses*? No more can ours look with indifference on the attractions and snares of the Rum-shop. As in the one case, the Lottery-offices and Gambling-house irresistibly invite thousands to purchase tickets, and to stake their money at cards or billiards, who but for the sight of these resorts would never have fallen into this folly, so is it in the other, that men drink ardent spirit, *because of the inviting facilities* for getting it; and so it is, that whilst these facilities exist, our *direct* efforts to promote total abstinence will be measurably, *if not fatally, counteracted by them*. Such views we must certainly admit to be just, unless we deny what the Bible, our hearts, and our observation alike teach us, of the power of temptation."

5. The *Political* era came at last. The cry of 'No Licence' was now heard in the Municipalities. The popular voice electing its Magistracy, this battle was attended with varying fortune, in various districts; and in many was annually renewed. The contest, however, was of immense service. In it, the 'Iron-sides' of *our* Commonwealth were getting disciplined. Proof of the anti-social, pauperizing, crime-breeding character of the Traffic became matter of clear arithmetic, and created that feeling and conviction which afterwards culminated in the *STATE LAW* of Maine. In some parts of the country great success attended this preliminary agitation. Throughout the 'Old Colony,' where the Pilgrim Fathers first settled, the 'No-Licence' principle triumphed so far back as 1832—a district comprehending two counties and several considerable towns. We abstract from the American documents the following passage:—

"In Barnstable and Duke's Counties, in 1835, after vacations of three, four, and seven months, the Judges had to preside over two criminals only, and these for a petty larceny of less than ten dollars."

The sentiments that were forming and gathering in the Public Mind, and destined to be hurled ere long upon the Traffic, we exhibit in the order of their date, extracted from the Reports:—

Professor WARE, of Harvard University, 1832.—"The nature of his calling renders it inevitable, that he cannot be a dealer in Spirits without becoming *accessory* to vice and ruin."\*

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\* Some one asks if we are prepared to denounce the selling of a glass of grog as a *crime*? In the days of Lotteries (which were both of the large and small kind), some one asked, on the discussion to prohibit them, if a *little-go* was to be treated as criminal? Our answer, in both cases, is unhesitatingly in the affirmative. The quality of the action attaches to the *system*, which is practically one and indivisible. The *law*, it is said, regards only great things;—but in striking at great evils, its principle also prostrates little ones. Again, though a sanitary law may not *stop up* every little sink-hole or sewer, those things are 'nuisances' nevertheless;—and he who, for self or self, should wilfully keep a diminutive nuisance

President WAYLAND, the Moralist, 1832.—“Would it be right for me to derive my living from selling poison, or *from propagating plague or leprosy around me?*”

In 1832, the Cholera year, it was asked—“What right have men, by selling spirits, *to increase the danger, extend the ravages, and augment the malignancy of the Cholera?*”

The *Presbyterian Synod of Albany*, in 1833, declared, “That the Traffic is an immorality, and ought to be viewed, as such, throughout the world.”

In 1833, the question was publicly debated, in the City of New York—“What right have Legislators to pass laws which enable men *legally* to injure their fellow-men, to increase their taxes, and expose their children to temptation, drunkenness, and ruin?” The answer was the denial of the right to ruin: and opinion rapidly ripened into the initial shape of *prohibition*.

The *GRAND JURY* of the city and county of New York recorded as their deliberate judgment, that if drinking were at an end, *three-quarters of the crime and pauperism would be prevented*, with an incalculable sum of wretchedness which does not come under the cognizance of this legal tribunal. They say—“It is our solemn impression that the time has now arrived when our Public Authorities should *no longer sanction* the evil complained of, by granting licences for the purpose of vending ardent spirits; thereby legalizing the traffic at the expense of our moral, intellectual, and physical power.”

A Committee of New York citizens sat to investigate the cost. In 1832, the public expenses of the city were \$893,886. By far the greatest proportion of the evils, say they, sought to be alleviated at this cost, are the fruits of 3,000 spirit-venders, etc. “We pay \$400,000 more than we should if no drams were *sold*. “That is, over \$10,000 are taken from the earnings of the people “for every licensed grog-shop which pays \$10 into the treasury.” A distinguished jurist declared, that he could find but three cases of murder in the city for fifteen years, that were not committed under the influence of drink.

In 1833, the State of Massachusetts prohibited the sale of Lottery-tickets. Hereupon it was asked, “Are not the evils of selling ardent spirits, as a drink, a *greater nuisance* to the community than the evils of lottery gambling? Is it a less sin for Legislators to license the one than the other?”

In the Sixth Report of the American Temperance Society, May, 1833, drawn up by Dr JUSTIN EDWARDS, the traffic was elaborately assailed as an immorality; as also by the Rev. WILBUR FISK, D.D., President of the Wesleyan University of

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unabated, is just as criminal in mind as if he had kept open a monster drain. And supposing he might intend—or think—no evil in either case, he is still criminal if he persists in prohibited and evil acts,—is so, if acting *from nothing worse than want of reflection*. “There is a way that seemeth right unto a man, but the end thereof is the way of death.” (Prov. xvi. 25—xv. 12.)

Middletown, Connecticut. The Report distinctly points at prohibition.

"The object of Licences, say some, is not to encourage the Sale, but to restrain and prevent the use of spirits. To this there are two answers. The first is, it does not prevent it. It has been tried for more than half a century, and notwithstanding all restraints, *the evil constantly increased*, till it had well nigh proved our ruin. Legislators thought to guard against these evils by providing that none should be allowed to sell it except 'respectable' men; and no more of them than the public good required; and that *they* should sell only to *such* men as would not be injured by it. But as it is now known that all who drink it are injured by it, and that the Public Good, instead of requiring, *forbids that any should sell it*; and that licensing it does not and cannot prevent its evils, the foundation of that legislation is entirely swept away. The second answer is, the licensing of sin is not the way to prevent it, but to perpetuate it; by declaring to the community that it is legally right; thus preventing the efficacy of truth and facts in producing the conviction that it is wrong. If men, *in opposition to the influence of moral means*, *will* prosecute a wicked business, which corrupts our youth, taxes our property, and endangers our lives, the COMMUNITY, in this free country, have the *power* and the *right*, without licensing iniquity, to defend themselves from its evils. *This opens the door*, and the only door which *truth and duty* ever open for *Legislation with regard to sin*, not to license and sanction it, but to *DEFEND THE COMMUNITY FROM ITS MISCHIEFS*; and in such a manner as is best adapted to deter the wicked from transgression, and promote, as far as practicable, *their* good and the good of the *community*.\* And this is the change in Legislation with regard to the sin of trafficking in ardent spirits, which the cause of temperance, of patriotism, of virtue, and of God, now imperiously demands."

Dr FISK's address was a graphic and admirable piece of casuistry, of which the following is an outline, often in our own words:—

It is less difficult to convince the Retailer of his participation in the guilt of intemperance, than the Manufacturer and Wholesale dealer. The former is personally and perpetually conversant with the evil. The glass passes from his hand directly into the hands of those who are ruined by it. He sees the fires that burn like Sodom in the countenances of his customers; and he knows that he is constantly furnishing the appropriate fuel.

\* The Prohibitory Law is, in its essence, the only one which does regard the best interest of the Publican. Any kind of Licence places *him* in the midst of the strongest temptations to sell anyhow, and to evade the law: but a Maine Law puts away temptation. Judge PLATT, at a public convention in Clinton County, N.Y., in February 1833, made a statement which gives significance to the passage cited:—

"It is a lamentable fact, that, upon a careful estimate, it is found, that of the Tavern Keepers and retailers of ardent spirits in this State, during the last forty years, *more than two thirds have become drunkards*."

Yet, the wholesale dealer, or fabricator, stands in the same essential relation to these evils. Every gallon which he sends out, is destined to assist in *forming the appetite* of some drinker, or in burning out the life of some wretch whose appetite is already formed. His hogsheads and barrels, though now lying at store or wharf, are certain to *become* the seeds of disease and crime; and he has no expectation that they will become blessings. Could the consequences be flashed upon him for a moment,—the disease, the vice, cruelty, murder, suicide, virtually latent within them,—would he not be constrained to renounce the Traffic as criminal in the sight of God, and treasonable against the best interests of man?

The dealer knowingly promotes the common use of strong drink, but he knows that such use is, in the *community*, *invariably followed* by a sad amount of inebriety and vice. Therefore, the dealer does, *on the whole*, knowingly promote measures which produce intemperance and vice.

It is undeniable, that where two things are known to be socially inseparable, whoever takes measures to introduce the one, does, by that very process, favor the introduction of the other. Of course the dealer does not desire drunkenness *for its own sake*; he only desires the gain of the process which ends in that,—adding, ‘the drunkenness’ is his customer’s affair, not his!

He may assert that intemperance is not a *necessary result* of the sale. Now, to test a special problem, it is often useful to ascertain what general principle is involved in it. Here it is this:—“That no man is accountable for becoming the *occasion* of another’s sin, because the sinner, as a free agent, might have refrained if he would.” Will this principle bear? Here is a book and print shop;—books elegantly written, but obscene and immoral;—prints charmingly engraved and colored *to life*, but prurient and polluting. Some men might read the books, or look upon the pictures, with apparent impunity from moral evil; nay, assume that *many* might,—but will that satisfy the tradesman whose daughter has been corrupted with them, or the merchant whose son has been ruined? The instincts of men are opposed to such a plea, and so, fortunately, is the law. But are bad books more demoralizing than intoxicating liquors? The Gospel not only requires that we shall not put “a stumbling-block, or an occasion to fall, in our brother’s way,” but demands that we should *remove* those that another may have put in his path. “He that *knoweth* to do good, and *doeth it not*, to him it is *sin*.”

But there is a moral necessity in the case. Intemperance is the natural result of selling or giving drink; therefore, “*woe unto that man by whom the offence cometh*.” Vender and victim are both guilty.

Against this, however, may not the dealer allege that there is a rule after all, which will exonerate him from responsibility for another’s abuse? Certainly there is. It is found in the performance of acts, or the use of things, *naturally fitting or good*. I may sell or eat food, notwithstanding the glutton abuses food. My justification is ample. First, *necessity*—for I must eat, or die. Second, *utility*—since the action of eating is good to me and millions. Third, *innocency*—my eating has *no connexion* of cause, as my refraining would have no relation of cure, to gluttony—while, conversely, eating is *by nature* the cure, and not the cause, of *desire to eat*. Now, in reference to alcohol, there are no such pleas possible. It is not *necessary*; for millions do without it, and believe it bad even. It is not *useful*, in the sense of contributing largely to human happiness: its best friends plead for it as a *luxury* to be guardedly used. And it has a connexion

of cause to the evil—since it is by the *narcotic, physical effect of alcohol*, that the intemperate appetite is engendered.

In short, there is no ease in which a man will be justified in doing what will be injurious or dangerous to others, *save where the general tendency of what is done is known to be good on the whole*. Let the dealer, then, sum up the issues of the traffic to the nation, as well as its profit to himself, and if, on striking the balance, he finds that hitherto he has been doing a *bad business*, let him abandon it for ever.

Such were the arguments, amply sustained by facts and figures, with which the war against the Traffic was carried on,—and arguments which speedily sank deep into the minds of the native Americans, though never listened to by the floods of foreign immigrants who poured into the States, counteracting the efforts of the moral and intelligent friends of temperance. It was found, indeed, that three-fourths of the low Grog-shops were kept by foreigners—chiefly Irish and German.

In 1834, the State of GEORGIA was greatly agitated on the subject of the Traffic. She expelled it from the seat of her University, and tested in *two counties* the authority to grant or refuse licences. In LIBERTY county, with a population of 8,000, not one drop could be purchased.

In the county of SUNFOLK, Massachusetts, licences were reduced from 613 to 314. In HAMPSHIRE county from 83 to 8. In PLYMOUTH and BRISTOL counties, and in numerous towns, *no licences were given*; and in many of them *no ardent spirits sold*. “*In some of those towns*, however, men who love the poison, have sent for it to Boston.”\*

It was thus eventually discovered that *local experiments* admitted of smuggling from neighboring districts, though the results of the law were still good. But its fault was its limitation—they hadn’t *enough of it*. It was with this measure, as it has been with our laws for the *suppression of the slave trade*. The league to put it down was not, at first, *sufficiently extensive*. Nevertheless, it was a great boon. “*What are the facts?*” says an appeal of the day.† “*Four times as many crimes are committed in places in which Liquor is sold, as in places in which it is not sold*. And in a number of cases, after the sale of it “*had been abandoned, and the use of it had ceased, the criminal docket had been cleared, and the gaols comparatively empty*. It “*increases, then, the power of temptation, and it is thus a palpable violation of the revealed will of God*.”

Facts and opinions, of which the following are a sample, were at this period promulgated throughout the States:—

In Catskill, N. Y., ORRIN DAY, Dr HOAGLAND, and other gentlemen, made a minute examination and report of the condition of things in that little town. Though eight merchants had abandoned the trade in

\* *American Documents*. i. p. 344.

† *Ibid*, p. 308.

spirits, and a large proportion of the best families, and 700, or one-third, of the inhabitants had joined the Temperance Society, which had been in operation for many years, the following facts were elicited:—

38 persons were engaged in the traffic: or 1 dealer to every 40 persons not abstainers. Some of these places, they say, are perfect schools of vice. They are sweeping away every vestige of good principle, and cutting off every prospect of a reformation.

130 habitual drunkards were traced,—or 1 in every 17 of the whole population,—or 1 in every 11, excluding the abstainers. There are many others who are *free* drinkers, and *occasional* drunkards.

Of those who are already inebriates, or advancing to that condition there are 2 in every 7 of the drinking population.

Taking the whole of the county, GREENE County, it was shown that of 300 criminal who had been imprisoned in the gaol, during seven years,—all, save three, were known to be intemperate; of 60 debtors, every one.

Of those who had received aid at the county poorhouse, during three years, *one fifth* were juveniles, of whom 7-8ths were children, often orphans of the intemperate. 3-5ths of the adult-females were intemperate; 1-5th dependents on intemperate husbands, etc. Each year above 300 such paupers. But for intoxicating liquors, therefore, any *public* provision for the support of the poor would scarcely have been necessary.

The gaol expenses averaged annually \$850. Other expenses increased the total expense of crime to \$5,630. The whole amount of the cost of pauperism and crime, flowing from intemperance, amounted to \$8,634.

In BOSTON city, the Overseers of the House of Correction testified, that 7-8ths of all the sentences of imprisonments were occasioned more or less directly by intemperance. The Superintendent of the house of Industry testified, that out of 1,273 inmates in 1833, there were adults,—670 intemperate; insane, etc., 101; unknown, 159; of children, 343, of whom 257 had intemperate parents; and of the 86 remaining, not 20 were known to have a sober parentage.

In COLUMBUS, Ohio, of 44 persons found dead, the Coroner's inquest was, that 33 of them came to their death by intoxicating drink.

The *Philadelphia Medical Society* testified, after full enquiry through a special Committee, that out of 4292 deaths, in that city, above 700 (or *one in seven*) were occasioned, directly or indirectly, by drink.

At the United States convention, held in the Hall of Independence, at Philadelphia, May 24th, 1833, composed of 400 delegates from 21 States, this topic of the Traffic came up for discussion. Many were anxious to hear what the Physicians, Jurists, and Statesmen there assembled, would determine. Some expressed doubts, not so much as to whether the Traffic *was* immoral, as to whether it would be useful to *say* so. But as the enormity of the system was brought out more distinctly; almost perfect unanimity reigned. Their deliberate judgment of condemnation exerted immense influence over the country. Other monster State Conventions followed—one in September, at Worcester, with 500 delegates, which led to the refusal of licences in many towns. In November, a similar convention was held at Utica, of which General JACOB MORRIS, a revolutionary patriot, was president. Others followed at Columbus, Ohio; and Jackson, in Mississippi. At one in Frankfort, Kentucky, held January 7th, 1834, it was recommended that in the formation of

all new Temperance Societies, they should agree to abstain *from wine* as well as spirit. The Governor of the State was president of a Legislative Society formed here, and the Lieutenant Governor and President of the Senate, vice-president. "Numerous and striking details were given, by physicians, of the destructive effects of ardent spirit during the prevalence of the Cholera in that State."—On the 15th January, a State convention was held in Vermont. Here the people struggled hard for a protective law. The vote in this State was,

|         |                     |        |                    |        |
|---------|---------------------|--------|--------------------|--------|
| In 1847 | <i>For</i> -Licence | 13,707 | <i>No</i> -licence | 21,793 |
| 1848    | "                   | 16,963 | "                  | 16,950 |
| 1849    | "                   | 11,205 | "                  | 23,874 |
| 1850    | "                   | 12,683 | "                  | 20,084 |

We give these figures, not only to show that the Temperance party is a persistent one, but to show how *cross-issues* in party politics affect the vote on this question. On the 5th February, 1834, a State convention was held in Maine; on the 12th in New Jersey; and on the 19th, a convention of Cities, at New York. Others followed, at Harrisburg, at Missouri, and in Delaware. State societies were now formed in every State of the Union save Louisiana. These facts will serve to show the extent and vigor of the agitation: but some fallacies still lingered. Many imagined that mere moral-suasion would suffice to extinguish the Traffic. They, of course, as would be the case with other moral questions, reached a certain class with their moral appeals and effected a positive amount of good—and then stopped. "The first glance," said they, "of a corrected public sentiment, will wither and consume it."\* They got the sentiment—the respectable, reflecting classes, and the Churches, almost to a man, united in the *sentiment*—many good or susceptible men abandoned the traffic—but that only added more to the custom of the worldly and the wicked, who pursued the calling, and supplied indeed stronger *motives* for their continuing to work its profitable machinery. Still, the germ of truth was deposited in the public mind—

"A sure pledge of universal triumph. The truth that the Traffic is wicked, strikes the evil at the root; and with a blow so strong and deep, that it will inevitably destroy it. The reception of this truth, and its publication by the wise and good, with corresponding action, is the sure means of exterminating this abomination."

Curiously enough, the very absurdities were then uttered as to the failure of Moral-suasion, which shameless unveracity now utters as to the failure of Legal suasion. Mr C—, a large brandy merchant, accosting a temperance man, said—"Why are you publishing such accounts about people giving up the use of spirit? There is no truth in them; there is as much drunk now

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\* *Seventh Report of American Temperance Society.* 1834.

*as there ever was.*\*\* The traffickers stereotyped the objection—and print from the ‘block’ to this hour! Their very tactics and language were the prototype of the liquor-men of Birmingham, Bristol, and Bradford.† The Traffickers felt at first that their best policy was silence; but at last they *affected* a great concern for ‘Moderate Temperance.’ At what they styled “a large and respectable meeting” of the *trade* in Boston they informed the public “that they looked with deep regret upon the [new] proceedings of the SELF-STYLED friends of Temperance”—which was quite true in the sense *not* intended!

Public opinion had ripened fast during two years; issuing in distinct and beneficial action. The practical campaign was, however, only just opened: but we have indicated the method of it, and shown that, as an agitation, it was *legitimate*; and as a work, *constitutional*. Regarded nationally, however, this was but the *area* of an Idea, which had to grow into power.

The distinguished author on Ethics, President WAYLAND, D.D., reports how his own mind became a convert to the fuller doctrine now being initiated; and replied to two objections:—

“I. It may be said that the grocer’s property is his own, and he has a right to use it in *any* manner he *pleases*. I. Now this is manifestly false. He has no right to employ his property in the slave trade, nor in the purchase and sale of counterfeit money, nor in the manufacture of false keys. 2. His right in his property is the same as that of any other man; it is the right of using it, for the promotion of his own happiness, in any manner he chooses, *provided* he do not so use it as to diminish the happiness of his neighbor. Now, as the traffic does diminish that happiness, he has no right to use it in this manner.

“II. It may be said that this traffic is necessary for the purposes of revenue. But it has been repeatedly proved that the public expenditure in the cost of pauperism and crime, arising from drunkenness, is ten-fold greater than the income which, under any possible circumstances, can accrue from the traffic.

“I therefore think the *prohibition* of the Traffic a fit subject for legislative enactment; and I believe that the most happy results would flow from such prohibition.”‡

\* *Ibid.* p. 14.

+ See § 25, p. 45; § 60, p. 94. Later on, that is, shortly after the passing of the *Maine Law* of 1851, the Traffickers grew frantic. At New York they summoned a meeting in Metropolitan Hall, using on their placards various misleading and exciting phrases. We preserve a few of the *capital* lines, as much for characterizing the party as for curiosity and amusement.

GRAND MASS MEETING in favor of  
NATURAL AND INALIENABLE RIGHTS  
of the Citizen, the Rights of Property,  
and the COMMERCIAL INTERESTS of our  
City.

The People who are *opposed* to the  
contemplated movement to  
DISFRANCHISE THE FREEMEN  
of this STATE, will hold a meeting, etc.,  
for taking action respecting  
THE OUTRAGEOUS ATTEMPT  
to destroy the interests of this City,

ROB MANY OF THEIR CAPITAL,  
and disfranchise them of those  
INHERENT RIGHTS  
guaranteed to all by the Constitution,  
etc., etc., etc.

We call upon ALL CLASSES to aid us in  
putting down this  
FANATICAL MOVEMENT,  
that will not only produce all the wrongs  
above alluded to, but surely *retard* the  
MORAL MOVEMENT of  
TEMPERANCE.

‡ *American Documents*, Vol. i, p. 381.

The Hon. MARK DOOLITTLE, of Massachusetts, said:—

"Is there any *other* article which the community would sustain for a single day, as the object of commerce among men, that should produce precisely the same effects? Government is instituted for the common good. Every subject has a right to claim *protection* and *security* against the violation of his rights. The direct and *inseparable consequence of this Traffic* is to violate the most sacred rights—to sunder the bonds of society—bury in everlasting forgetfulness the duties which the dearest relations in life impose. What ought legislators to do? I answer—*Place the article on the contraband list, and make the traffic in it penal*, as being deadly to the best interests of men. Are not the evils arising from the traffic as dangerous and as destructive to the community as those that arise from the traffic in *lottery-tickets*? Nay, are they not much more so?" \*

Hon. DAVID DAGGETT, Chief Justice of Connecticut, says:—  
"In my view the great source of intemperance is to be found  
"in grog-shops and tippling-houses, *those outer chambers of hell*."

THEODORE FREILINGHUYSEN, senator for New Jersey, says:—

"How can a just mind engage in a commerce, all the details of which are fruitful of evil? The use of ardent spirit is attended by *peculiar* circumstances. It is not an ordinary and harmless beverage, *as to which every man may be safely trusted*, with his own keeping. It is an insidious and dangerous practice, that gradually forms an *artificial* and depraved appetite. Worse still—this habit relaxes the hold of good principles.

"What can we urge in excuse for the countenance given to the use of spirit" on almost every statute book? On one page, heavy penalties denounced against drunkenness, riots, and public disorders—and the next chapter authorizes the retail of the very poison which, all admit, brings on these out-breaking transgressions! Who can dwell upon it without feelings of shame, that we should have gravely provided by public law, that if men *will pay* for the mischievous faculty, they may set up a tavern, and, thereby, inflict an amount of injury on the vital interests of the community, that neither time nor law can repair? Let them no longer have the *law-book* as a pillow; nor quiet conscience by the opiate of a *court licence*."+

The last opinion we shall cite was prophetic; that of JOHN C. YOUNG, President of Centre College, Kentucky—an opinion given in acknowledging the receipt of the Sixth Report of the American Temperance Society, assailing the Traffic as immoral.—

"The persevering dissemination of such principles and arguments will, in time, bring the public mind to regard the licensing of this traffic as a *thing no more to be tolerated than the licensing of gambling houses*."† The prohibition of gaming-tables does not *entirely* root out gambling, he adds, but the prohibition of the traffic is likely to be more effectual; for while the temptation of unlawful gains is larger in the former, and the gambler bears about him no traces of his den, the very breath of the drinker would lodge an information against his haunt.

At this season, the 'Washingtonian Movement' was allowed to divert much of the attention of the States from legal suasion. Ten years well spent in a 'Moral suasion' attempt to convert Drunkard and Drunkard-maker—the enthusiasm raged like a Prairie fire, but the *crop of evil* grew fresh and fast.

\* *Ibid.* pp. 382-3.

+ *Ibid.* pp. 388-9.

† *Ibid.* pp. 389-7.

The State of CONNECTICUT, as early as 1834, and for some years after, made 'Licence' or 'No-Licence' one of its political issues; and frequently carried the negative by overwhelming majorities. In other States, the same battle, with the same weapons—the Ballot-box—was waged with varying success. Not only, however, was this course attended by considerable inconvenience, but it left the contest unsettled, to be renewed the first opportunity. Before leaving this period of guerilla warfare, and passing over a space of twelve years, it is proper to record the fact, that during the presidency of General ANDREW JACKSON, in 1834, the principle of a Prohibitory Liquor Law was distinctly admitted by the Government of the United States in reference to one portion of its subjects: and the precedent, at any rate, was established for its application to *all*. We allude to the Law "*for the Protection of the Indian Tribes*," which, prohibiting the sale of all strong liquors to the Indians, enforced its commands by instructing and authorizing the Indian agents summarily to *seize* and *destroy* all such liquors introduced for sale into the Indian territory—a provision which was rigidly and righteously enforced.

6. It is a fact of History, that great *crises* in the career of men and of nations, and often great measures, come upon the world suddenly, and take it by surprize. The political history of this century is full of 'modern instances.' We ourselves recollect several. While ELDON is dreaming of the continuance of Catholic disabilities, suddenly the social inequality is dissolved. The Duke of CLUMBER will do what he wills with his own, and by his nominees in Parliament, stave off Parliamentary reform. Again, suddenly, in the light of blazing town and castle, the King, and his advisers, discover that reform *must* come. A wealthy aristocracy, with two Parliament Houses at their command, and the *Times* for their trumpeter and herald, declare that taxed bread must continue to be eaten by an industrious people, while they will repose for some years; but, again, the *Times*, which at evening, had paradoxically, ignored 'the Signs of the Times,' awoke in the light of dawn to discover that the necessity for the *total* and *immediate* repeal of the Corn-laws was 'a great fact.' Again, a Citizen KING, the astutest member of a royal line, sups and sleeps in fancied security; but behold, next day he breakfasts amidst Revolutionary turmoil, and is glad to sup at all, even as simple JOHN SMITH! Again, we have half a century of agitation for the suppression of Slavery in our West India Colonies. Public meetings are held, great names are blazoned, the resolutions, duly cut and squared by the scissors of a timid policy feeling its way,—and while men are talking of measures of compromise, and holding that success is possible at some far-off hour—a believer in the *right* and in *truth*, like Mr POWNALL, casts his simple, just, and uncompromising resolution upon the waves, and behold, by the force of the eternal

and resistless tide, it is borne triumphantly and rapidly to success ! This is well : since the work is ours, but the issue His. *Fiat Justitia*—‘ Do the right’—and Heaven will not fall : but only the blessing of Heaven in due season.

So, in the States, in 1845-6, while almost desponding of success, they were rapidly approaching the harbour. Various compromises had been made, for *politicians* could not trust the whole truth and principle of ‘total and immediate.’ They would *regulate* the evil ; fasten a stronger and shorter chain about ‘the crittur’—feed him at longer intervals, and by great ‘lumps’ at a time. Like the politicians elsewhere, they could not object to the principle nor refute the facts—but then—“Wait a little longer.” Accordingly, in Massachusetts, a law was enacted, forbidding the sale of less than twenty-eight gallons at a time—a larger lump than that allowed by the old ‘five-gallon law’ of New York. Another law, in Rhode Island, forbade the sale of less than ten gallons ; and that of New Hampshire prohibited the sale of any quantity without a licence. The Rhode Island law gave the electors of any town or city the power to “decide that no licences for retailing should be granted for that year.” These laws occasioned the mooting of a legal point in respect to the ‘constitutionality’ of prohibition. Appeals were made to the Supreme Court of the United States, and in January, 1847, the celebrated licence causes of *Thurlow* versus *Massachusetts*, *Fletcher v. Rhode Island*, and *Pierce et al. v. New Hampshire*, came on for hearing.\* It appeared in evidence, that the town of Cumberland, in Rhode Island, had refused licence. *The judgment of the court below, in each case, was unanimously affirmed*—to wit—that these laws “were not inconsistent with the constitution of the United States, nor with any acts of Congress.” The decision covered two points—the *extent* to which licences might be conceded, and the right to prohibit unlicensed sale. The reader must bear in mind, that this point is one which has no relation to the political constitution of Britain, but arises from the possibility of the laws of a *single* State being in opposition to some general law of the Confederated States. In this country there is no higher force, no more ultimate appeal, than an Act of Parliament ; the Judge can interpret its language, but he cannot question its authority.

Chief Justice *TANEY*, in delivering judgment, said :—

“ Although a State is bound to receive and permit the sale by the importer, of any article of merchandize which Congress authorizes to be imported, it is not bound to furnish a *market* for it, nor to abstain from the passage of any law which it may deem necessary or advisable to guard the health or morals of its citizens, although such law may discourage importation, or diminish the profits of the importer, or lessen the revenue of the government. And if any State deems the retail and internal traffic in ardent spirits injurious to citizens, and calculated to produce idleness,

\* Vide 5 *Howard's Reports*, 504.

vice, or debanchery, I see nothing in the constitution of the United States to prevent it from regulating and restraining the traffic, or from prohibiting it altogether if it thinks proper. It is equally clear that the power of Congress over this subject does not extend further than the regulation of commerce with foreign nations, and among the several States; and that, beyond these limits, the States have never surrendered their power over trade and commerce, and may still exercise it, free from any controlling power on the part of the general government. Every State, therefore, may regulate its own internal traffic according to its own judgment, and upon its own views of the interest and well-being of its citizens.\*

And in regard to liquors brought in from other States :—

“The law of New Hampshire is a valid law; for although the gin sold was an import from another State, and Congress have already the power to regulate such importations, yet as Congress has made no regulations on the subject, the traffic in the article may be lawfully regulated by the State as soon as it is landed in its territory, and a tax imposed upon it, or a license required, or the sale altogether prohibited, according to the policy which the State may suppose it to be its interest or its duty to pursue.”

Mr Justice MCLEAN concurred in the decision, and said :—

“If the foreign article be injurious to the health or the morals of the community, a State may, in the exercise of that great and comprehensive police power which lies at the foundation of its prosperity, prohibit the sale of it. The acknowledged police power of a State extends often to the destruction of property. A nuisance may be abated. Everything prejudicial to the health or morals of a city may be removed. Merchandise from a port where a contagious disease prevails, being liable to communicate disease, may be excluded; and in extreme cases, it may be thrown into the sea.”†

Mr Justice CATREN also agreed with the Chief Justice :—

“I admit, as inevitable, that if the State has the power of restraint by licensees to *any* extent, she has the discretionary power to judge of its limit, and may go the length of *prohibiting it altogether*, if such be its policy.”

Mr Justice DANIEL, in answer to the argument that the importer purchases the right to sell when he pays duties to the government, said :—

“No such right as the one supposed is purchased by the importer, and no injury, in any accurate sense, is inflicted on him by denying to him the power demanded. He has not purchased and cannot purchase, from the government that which it could not ensure to him—a sale independently of the laws and policy of the States.”‡

Mr Justice WOODBURY further illustrated the point :—

“After articles have come within the territorial limits of States, whether on land or water, the destruction itself of that which constitutes disease and death, and the longer continuance of such articles within their limits, or the terms and conditions of their continuance, when conflicting with their legitimate police, or with their power over internal commerce, or with their right of taxation over all persons and property within their jurisdiction, seems one of the first principles of State sovereignty, and indispensable to public safety.”||

\* *Ibid*, 573.    + *Ibid*, 592.    † *Ibid*, 616.    ‡ *Ibid*, 630.

Mr Justice GRIER thus asserted both the right of prohibiting sale, and that of the seizure and destruction of property :—

"It is not necessary to array the appalling statistics of misery, pauperism, and crime, which have their origin in the use and abuse of ardent spirits. The police power, which is exclusively in the States, is *alone competent* to the correction of these great evils; and *all measures of restraint or prohibition necessary to effect that purpose are within the scope of that authority*. All laws for the restraint or punishment of crime, or the preservation of the public peace, health, and morals, are, from their very nature, of primary importance, and lie at the foundation of social existence. They are for the protection of life and liberty, and *necessarily compel all laws on subjects of secondary importance, which relate only to property, convenience, or luxury, to recede when they come in contact or collision*. *SALUS POPULI SUPREMA LEX*. The exigencies of the social compact require that such laws be executed before and above all others. It is for this reason that quarantine laws, which protect public health, compel mere commercial regulations to submit to their control. They restrain the liberty of the passengers; they operate on the ship, which is the instrument of commerce, and its officers and crew, the agents of navigation. They *seize* the infected cargo, and *cast* it overboard. All these things are done, not from any power which the State assumes to regulate commerce, or interfere with the regulations of Congress, but because police laws for the prevention of crime and protection of the public welfare must of necessity have full and free operation, *according to the exigency that requires their interference*.\*

Indeed, as we have seen, the precedent for such a law was given by Congress itself in the act for the protection of the Indians, which had this clause :—

"And if any such spirituous liquors or wine be found, the goods, boats, packages, or peltries of such persons, shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court, and forfeited; and it shall, moreover, be lawful for any person in the U. S. service, or for any Indian or white person, to *take and destroy* any such liquor or wine as they may find in the Indian Territory, not used as supplies for the army."

These decisions and precedents set at rest the purely American question of constitutionality.

The position and feelings of the Temperance party, immediately prior to the Maine Law, as we have intimated, was one of mingled disappointment, hope, and despondency. Notwithstanding a moral-suasion movement carried on for twenty years, with a machinery unprecedented for its magnitude, and with a success almost marvellous—a movement that had gathered into its ranks successive Electoral Kings of the Republic, the highest teachers, the most distinguished popular leaders, the great organs of the press, and the almost universal Church of the Western world—a movement that had manifested its power in redeeming tens of thousands, in moulding fashion, in conquering appetite and interest, and in penetrating and permeating with its *opinions*, platform and press, pulpit and forum—the School, the College, and even the Halls of Legislation,—notwithstanding this career

\* *Ibid.* 632.

of progress, which, amongst moral and social organizations, is peerless in the history of modern times,—yet was Intemperance scarcely visibly diminished, but, in the great towns and cities of the country, rolled in like a devastating flood. True, there was a mighty difference between 1821 and 1831, and in sentiment, between 1831 and 1851. The Fifteenth Report of the American Temperance Union, says:—"The committee feel no disposition to pass lightly by the evil, or to overrate the work accomplished. Intemperance is most appalling in our land. Its enginery is tremendous. The capital invested in the Traffic it is impossible to estimate. Moral suasion has well-nigh done its work"—i.e. all that it is competent to do. "*Little more could be done,*" said a veteran reformer, S. C. ALLEN, in addressing the Legislative Society of Massachusetts, "*without more efficient legal action.*" The Rev. T. BRAINARD, D.D., of Philadelphia, at the Sixteenth Anniversary of the American Temperance Union, characteristically expressed the same truth,—"*We have come to a class of men who love money better than the right. The present laws have never been executed. They never can be executed. We have used up the conscience of the community.* The men that *have* a conscience, have abandoned the Traffic."

MAINE, in 1846, after fierce struggles and legislative debates, had the honor of first placing a Prohibitory Liquor Law upon its statute book; but, as might have been predicted, while the law was correct in its principles, its adversaries took care to mar it in its methods and sanctions. A law of the nature of the one in question—opposed to the interest, appetite, and custom of a considerable minority—could not be expected to escape evasion, unless it originated a new executive machinery, or had some peculiarly effective sanction: nay even in the best of cases, such a law would have a period of trial to pass through, and to starve out the established forces of the old system. The Prohibitory Law of 1846, however, gave no power to arrest the real offender—the liquor—but sought to sustain its provisions by the old apparatus of fines. The rum-sellers sold secretly where they could, but at all events sold, and when detected, *paid the fines out of the profits of the offence.* The law did not allow the liquor itself to be its own evidence, and thus gave room for the immoral sustainers of the Traffic to evade conviction by perpetrating perjury. The law, it is true, was vindicated by penalties, but it did not secure respect—for the liquor was left entrenched within the borders of the Traffic. *The Law failed because it was not as thorough in its apparatus as in its principle.*

Was the case, then, hopeless? Must society, with the knowledge and suffering of a prodigious evil, sit down in despair of ever removing it? Not so, thought the friends of Temperance. If this law is a failure, said the Hon. NEAL Dow, of Portland, there must be a reason for it. Like other Prohibitory Laws, he perceived, it denounced the wrong—but, *unlike them, it tolerated*

*the instrument of the wrong.* A parallel to such legislation would have been to prohibit Lotteries, Gambling, and Forgery,—and respect as ‘lawful’ property, the Lottery Ticket, the Gambler’s Dice, and the Forger’s Dye. This was the doctrine he propounded, and henceforth, with that energy and earnestness which distinguish him, he proclaimed CONFISCATION OF THE LIQUOR AS THE PRACTICAL CORRELATIVE OF THE PRINCIPLE OF PROHIBITION—a guarantee, without which any liquor-law must ever prove a dead letter. This, and no other, is the peculiarity of what is called, by way of eminence, *The Maine Liquor Law*. As pirated-books are now summarily burnt by our custom-house officers, so confiscated liquor was to be spilt or otherwise destroyed by the State officers, whenever discovered. In the agitation for this measure, the same phenomena was observable in the State of Maine which has been observed in British Society—the Working Classes most loudly and unitedly demanded the destruction of the Traffic.\* The ‘rummies,’ as they are called, struggled with desperation, and strained every nerve, but were utterly routed. The Temperance party, under the leadership of Mr Dow, carried the elections of 1849, and in May 1851, by an average vote of *two to one*, the Bill passed the Senate and House of Representatives, and on the 2nd of June became Law, by receiving the Signature of the Governor of the State.† This law permitted the apparatus of the Traffic to be received as evidence, just as are the implements of the gambler and coiner, and conferred upon the officers the summary power of destroying the liquor.

Opportunity was allowed for diverting liquor to legitimate uses, or disposing of it beyond the State. This was embraced, and preparation made generally in the cities and towns to acquiesce in the demands of the law, showing that law is a potent instrument in *creating*, as well as expressing, public sentiment. Here and there, however, several publicans had the temerity to retain their stores of liquor, which became liable to seizure and

\* “It is observed in our large towns, in Liverpool amongst others, that the strongest eagerness to petition parliament for a Public-house Reform is shown by the laboring class; and the intensest of all, by the drunkards among them. And a very touching spectacle it is to see them thronging to sign a petition like that just got up at Liverpool. Of the 10,000 signers, nearly all are working men; and if they had the franchise and the ballot, like the men of Maine, they would, like the men of Maine, doubtless, do something more than petition.”—*Daily News*.

† The votes in the Assembly were 86 to 40; in the Senate, 18 to 10. The law provides for the sale of alcohol for mechanical and medical (including artistic and chemical purposes), by the appointment of a district agent, under bonds, and with a fixed salary. It does not concern itself with the private acts of home brewing, or importation (indeed the laws of the Federal Union *protect* importation) in the ‘original package.’ It regards every man’s home as his castle, and only seeks to meddle with the *overt act of sale*; confiscating all stores of liquor of which a part has been sold, just as our revenue officers would seize a whole bale of goods on proof of any part of them having been smuggled. If a man takes a solemn oath that his liquor is *not* held for sale, the law cannot affect him, but regards the liquor as ‘private property,’ which may be held without such serious danger to society as necessitates interference.

destruction. The first seizure and confiscation was made at BANGOR, by order of the Mayor; and on the glorious 4th of July, 1851, the City-Marshal rolled out from the basement of the City Hall ten casks of confiscated liquor, and destroyed the whole in the presence of the people. Soon after, Mr Dow, as Mayor of Portland, a city where great wealth had been made by distilling, issued his search warrant on accredited suspicion of Sale, and \$2,000 worth of liquor was seized and destroyed. On both occasions the populace witnessed the destruction in respectful silence. Other seizures followed, and nowhere did the law meet with any grave opposition. Liquors smuggled from neighboring, non-Maine Law States, by various and often ridiculous devices, quickly fell into the grasp of the marshalls and sheriffs, and received their legal doom. Drunkenness rapidly diminished; disorder disappeared; almshouses grew desolate; houses of correction and gaols thinly inhabited or entirely closed, and all external signs of moral and social prosperity were everywhere visible. Evasions of the Law suggested new clauses for meeting them, which were passed by votes of 2 to 1. Farmers, it appears, were allowed to manufacture *cider*, and sell it in quantities not less than 28 gallons; but it was enacted that it should come under the ban if found in tippling-shops.

§ 138. Let us here finish the history of the Law in the State of MAINE, though it is now equally the law of eleven other States. Year after year passed away, during which it vindicated its power for good, while faithfully executed. Its enemies attempted in vain to excite *disturbance* of any serious kind: and at last resorted to one of the vilest and most unscrupulous conspiracies against truth and justice which history records. Libels on the character of Mr Dow were privately circulated, and appeals made to the *jealousy* of the law's observance.\*

The determination to unsettle the Prohibitory Law was heralded by an attempt to unseat NEAL DOW, as Mayor of Portland. Every nerve was strained. An opponent was selected who was one of the nominees of the *Pierce* government—private and public scandals spread about—a combination of the foulest political parties effected—until the whole country was excited about the election. When the news prematurely transmitted to Boston and New York that the election had issued in his defeat—cannon was fired by the 'Rummies,' and extravagant rejoicings and revelry succeeded. The following day, however,

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\* The basest of these were taken up by natural affinity, and eagerly circulated by that 'Honorable' adviser of the 'Trade,' who, after declaring (see *Bristol Mercury*, November 4, 1854) that the 'House of Commons had "a strange fancy for legislating in a hurry,"' himself pushed forward, with *unexampled haste*, the Sunday Demoralization Act! We refer to the honorable member described by the *Times* as an *exquisite compound of fanatic and jester*—in the language of the trade, "half-and-half."

showed that Mr Dow was at the head of the poll—again Mayor of Portland.

The facts connected with the riot in Portland, have been but little understood in this country. It has been represented by the 'Honorable' Mr BERKELEY, that the Honorable NEAL Dow, the mayor, had himself become a violator of that law by purchasing large quantities of liquor; and that the riot which occurred in consequence of this supposed discovery, was put down by him with a view to vindicate the same law. The facts are these:—The Portland board of aldermen appointed the mayor and two aldermen as a sub-committee to take steps for the establishment (pursuant to law) of a 'City Agency' for the sale of alcohol for mechanical, medicinal, and chemical purposes only. The mayor took steps accordingly; and purchased a quantity of liquor, which he ordered to be deposited in the City Hall. His enemies immediately had it bruited about that Neal Dow had become a liquor seller on a large scale, in violation of his own law; and they obtained a warrant against him "for having liquors unlawfully in his possession." The officer of the court which issued the warrant, at once seized the Liquors in the City Hall. The case was tried a few days afterwards, and resulted in the following judicial decision:—

"From the whole evidence, the court finds that these liquors were ordered by a Committee chosen by the board of aldermen for that purpose—that they were ordered for the city-agency, and for lawful sale—that they were sent marked and invoiced to the city agency—that they were placed in the room which had been appropriated for the city agency, and found in the possession of the city agent, legally appointed previous to this complaint. From these facts the court decides, that they were not kept by the defendant with an intent to sell in violation of the law, and that he is not guilty of the charge made against him in the complaint. It is ordered, therefore, that he be discharged, and that the liquors seized by the officer be returned to the city agent, from whom they were taken."

Before the trial came on, however, a mob of persons assembled in front of the City Hall, and became very violent and riotous. They smashed the windows of the hall, burst open the door, threw stones and brickbats, and severely injured several of the police. To prevent them from breaking into the place, drinking the liquor, and probably committing the most terrible excesses, the mayor, after the Riot Act had been read, and blank cartridge fired in vain, ordered the military to fire with ball. Several of the rioters were wounded, one of them killed, and the riot effectually quelled. A coroner's inquest was held on the dead man, and the jury returned the following just verdict:—

"JOHN ROBBINS came to his death by a gunshot wound, a musket, pistol or revolver-ball, shot through his body by some persons unknown to the inquest, acting under the authority and order of the mayor and aldermen of the city of Portland, in defence of the city property from the ravages of an excited mob unlawfully congregated for that purpose near the City Hall,

on Saturday evening, June 2, 1855, of which he, the said JOHN ROBBINS, was found to be one."\*

The friends of the Law, however, were destined to meet with a reverse, which will simply have the effect of uniting them more closely in *political action* for the future, and of making the law a political test. At the State election in September, 1855, the vote for the Maine Law candidate for Governor, was not only larger than any Governor had ever before received, in the history of the State, but greater by thousands than any other single candidate. But a *plurality* of votes is requisite; and, by a vast expenditure of money, supplied from New York, by secret influences, and an unsleeping organization,—a combination of the Nebraska-Democracy, the Hunker-Whigs, and the Rummies, contrived to out-number the united Republican-Prohibition party, notwithstanding that their candidate had more votes than any other. This opposition, though having control of both branches of the Legislature and the Executive, after six months' procrastination, screwed its courage up to 'low-water mark,' and proposed a substitute for the world-famous law, but a substitute so stringent, that in Britain it would be deemed no better than its predecessor! Mr BARNES—a Whig Senator—introduced a Bill which actually involves the principle of the Maine-law: viz., "*that no person shall keep a drinking-house or tippling-shop within the State,*" though in his accompanying report he alleges that "*a man may eat and drink what he likes, and that to interfere with his doing so, is to go beyond the true province of Government!*" The present law provides that Liquor may be *sold*, but may not be *drunk* on the premises!

Though the distilleries are now again at work,† and drunkenness and crime rapidly on the increase; though gaolers have returned to their abandoned occupations, and for a time a state of things must prevail which has not been witnessed in Maine for the last six years, the supporters of the law do not abate one jot of heart or hope. This reverse—and the workings of the modified system—will but furnish them with another lesson in political leadership, and with fresh weapons of warfare: their phalanx will return again to the conflict with a firmer tread, to realize a more complete and lasting victory. We warn our readers against any inference unfavorable to the Law, derived

\* It seems, therefore, that Mr BERKELEY, not content with patronizing Home mobs and disturbers of public meetings, must, in the exuberance of that 'fellow feeling' which 'makes so wondrous kind,' also champion the cause of Foreign blackguardism; and *gratuitously* and *recklessly* reproduce calumnies as wicked as they are groundless. We could not, in justice to Mr Dow, so vilely expensed in a foreign country, refrain from marking our own individual sense of the cowardly wrong, and perpetuating the infamy of the calumniator.

† The *State of Maine* newspaper announces this fact, as an illustration of a thriving and reviving trade!—though the same veracious journal (and its copyists here) had industriously affirmed that under the Maine Law *far more drink* was consumed than ever before! How patriotic for the publicans to vote for its *repeal*!

from this temporary political defeat. Political parties may succeed with their schemes ; but there is something *behind*, which, sooner or later, will scatter their combinations to the wind. The sound-hearted people, when the emergency comes, will rise up and control the profligate politicians : the Demos will conquer the Ochlos. Hence, as the wisest of her statesmen have ever said, *the immediate future of American politics can rarely be predicted*. Not one, nor many, defeats can dishearten the authors of the Maine Law, since they never relied for success on political parties, but on the truth and necessity of the measures proposed, and on the sense and consciences of the country. Much less need British reformers be discouraged from a temporary defeat of Prohibitory-law under the peculiar circumstances of a foreign state—circumstances which have little or no application to ourselves. To despair of a Maine Law because it has been for a time exiled from the place of its nativity, would be as absurd as to despair of Christianity because it has, for eighteen centuries, been banished from Judea, where it was first proclaimed. Politics will change, but Truth remains ; and as this cause is built on no quick-sands, washed by political tides, but on a rock that no storm has ever yet disturbed,—our hopes remain. If the question of Prohibition could be voted on at this moment by the people of Maine, distinct from all political issues, no one doubts that the principle would be upheld by an overwhelming majority.

§ 139. Reference has been made to the political parties *OPPOSED* to the Maine Law, and it is important that the British public should know *who* they are, and what reliance is to be placed on the press-gang in their pay. This will be the key to the legal, legislative, and official hindrances put in the path of the law in the Empire State. First, then, of the great Rum-party, come the *Traffickers*, great and small ; in the cities *three-fourths* of the retailers being low foreigners. Second, come the *Rowdies*, composed of 'fast' young men of the wealthier classes, of men at 'a loose end,' and of swindlers and blackguards of various names and nations. Third, comes the *Slave power*, consisting of slave-traders, slave-holders, and their 'following', literary and legislative. Fourth, come the *Professional Politicians*, the opprobrium of the constitution, and large for a class, including the odds and ends of various parties, the immoral and unsuccessful *debris* of political action, with talk and talents to be disposed of by rule of dollars ! The morality of some of these parties may be illustrated by a passing incident. The *Times* of August 5th, 1856, exposes the prevalence of slave trading in New York, and the fallacies of those who assert that the 'Traffic' in 'black diamonds' *cannot* be put down :—

" *If one ship in four* succeeds in effecting the run (from Africa to Cuba), the profits are so great that the return is a handsome one—even including

the cost of the ships, which are *summarily consigned to destruction...* Rum figures largely in the traffic, as a medium of exchange.' [Thus of old; see § 69.] So great is the desire among the negro population of Africa for rum and ornaments, that parents will sell their children, and husbands their wives, in order to obtain possession of them. It is much to be questioned, if the Traffic in slaves was ever organized in a more cruel or destructive fashion than it is at the present moment, and the centre of this abominable trade [as of the Rum power] is at New York... It is said that it *cannot* be stopped. This is, in other words, to assert that precautions adopted at the port of departure are vain. *This can scarcely be so.* Why should not Portuguese merchants use the port of Liverpool as well as the port of New York for the despatch of slavers—but that the British authorities *have succeeded* in accomplishing which the authorities at New York have failed to accomplish? We can ourselves scarcely suggest a remedy, other than that of bringing the pressure of our cruisers to bear upon Cuba *with still greater force*, but, until the Traffic is stopped in the markets, nothing will be effectually accomplished... The *Altive* was a schooner of 150 tons. Four hundred Negroes were stowed on board. Those in the hold had to lie down in 'spoon fashion.' During the passage, 100 of the Negroes died. We rejoice to add, that in this case, at least, the slaver was found guilty, and sentenced to ten years' imprisonment.'

Need we draw the parallel? Is there not, in the Vessel of the Traffic, a terrible and fatal 'middle passage,' wherein *one-fourth* of all on board perish? Why should not such a Traffic be classed as piracy, and the instrument of carrying it on confiscated, and consigned to destruction? Why should not the *market* be shut up? If it sought concealment, why not bring our police to bear upon it *with still greater force*? If the executive did not succeed in America, why not *here*? They may not *will* it in New York—but *we may* in Liverpool or Leeds. If *one ship in four* of the Traffic escape the alertness of the legal cruisers, shall the law therefore be repealed, and freedom and impunity declared to the other three? If prohibition cannot do everything, shall it do nothing? If a little offence arise where there is a clear law, are we to promote much offence by having *no law*? The reader will draw his inference.

§ 140. We return to the consequences in other States and Territories of the passing of the Prohibitory Law in 1851.

The passing of the *Maine* Law inspired an immense and even surprizing enthusiasm in other States, which struck terror into the Traffic. Synods and Conventions rapidly succeeded each other; and their utterances were of the clearest description. The Church saw and declared that the essential thing for its success was the removal of the impediment of the Traffic: the Citizen perceived that this measure was *the* measure of the time, needful to secure the fruits of every other. In Dr CHEEVER's expressive language, "Every interest of evil would go down, every interest of good would come up." They looked and prayed for its advent as the Ancient Egyptian might watch and wait for the rising of the Nile, whose blessed waters should convert the parched earth into the fertile field. On the 21st January, 1852, in the Tremont Temple at Boston, the citizens assembled for the

presentation of their petitions, to which 130,000 *well-written* signatures were attached, including 60,000 voters. The Hon. A. HUNTINGTON, of Salem, as chairman, said : "God speed the enterprise. It is a great cause, and can do more for the welfare of the people than anything else." It was borne on a double sleigh to the State House, over a rich banner, on which was inscribed "THE VOICE OF MASSACHUSETTS—130,000 PETITIONERS IN FAVOR OF THE MAINE TEMPERANCE LAW"—accompanied by the chairman, the venerable Dr BREWER, and the Committee. Seven days later (28th January), a 'grand demonstration' was made at Albany, the legislative capital of NEW YORK, 'the Empire State.' The artillery company, and gorgeous sleighs filled with officers, guests, and ladies, the monster rolls of petitions, with 300,000 signatures, and half a mile of teetotalers and Sons of Temperance, with splendid regalia, badges, banners, and bands of music following, assembled in the front and neighborhood of the Delavan House, and after passing through the chief streets, entered by permission the Assembly Chamber, where, the meeting being called to order by the veteran Colonel CAMP, the claims of the law were enforced by Dr MARSH and others. The law asked for was, "*a law to prevent Pauperism and Crime.*" The Petitions were referred to Select Committees, which reported acceptable bills, and assigned reasons. The Report in the Senate said that a greater number of petitioners had united in the request than had ever before been presented in behalf of *any* measure. The Report in the Assembly, referring to the objection that 'The people are *not prepared* for it,' said : "Objections of this kind come with a bad odour from those who wish its non-enforcement." And indeed, we may add, it is to us a sorrowful moral mystery, how men in *this* country, public writers and professed teachers of the people, in referring to the rise and fall of the temperance contest in America, grasp with avidity, and circulate with glee, every report of a temporary reverse which the friends of temperance may, and sometimes *must* sustain ; gloating, as it were, over the supposed failure of the latest instrumentality devised for abating the great source of moral wreck, domestic discord, and social disorganization ! That the law should not be early passed in NEW YORK—the centre of Foreignism, and the stronghold of the Slave Trade and the Rum Traffic—was to be expected. No doubt, also, it will be one of the last places in which it will be executed, when passed. There, as here, the Slave Trade is declared *Piracy*, but somebody is not '*prepared*' to give up the trade ; it is *so* profitable ! If this be true—we say—Then pity 'tis, 'tis true. But what is there for a MAN to *rejoice about* in such a fact ?

From Maine the impulse spread to MINNESOTA ; this territory arriving *second* at the goal. The law passed both Houses of the Legislature in March, with the proviso that it be submitted for approval to the people. The people at once gave it their impre-

matur, and it became the law of the territory. (Singular to say, the Supreme Court pronounced it to be unconstitutional for its having been submitted to the people ; but the Legislature did not repeal it.)

In RHODE ISLAND, the people at the Spring election returned a Legislature that (March 7th) enacted the Law in the Senate without a count, and in the Assembly by 47 votes against 27 ; being the *third* in this race of social redemption ! In PROVIDENCE, a Maine-law Mayor was returned by a majority of a thousand votes. This gentleman, the Hon. A. C. BARSTOW, said at the Seventeenth Anniversary of the American Temperance Union, held May 12th, 1853, in the Metropolitan Hall, New York :—

“ He was proud to represent Rhode Island, which first, of the States, elucidated the principles of religious liberty. Though not the first in this cause, he could claim for her the honor of having, if not the genius to lead, at least the humility and virtue to follow. A prohibitory law has existed *for six years*, under which 26 out of 32 towns, have steadily refused to give licence.”

In PENNSYLVANIA the prayer of the petitioning people was granted by the Senate, and lost in the House only by two votes.

In WISCONSIN the law was demanded by 14,092 petitioners, and opposed by only 4,822 ; accorded by the House, rejected by the Senate.

§ 141. The struggle continued in the Legislature of MASSACHUSETTS—a State destined, however, to be *fourth* in the race. Petitions poured in. One hundred and eighty thousand petitioners prayed for the Law, and the Select Committee to whom the matter was referred gave the petitioners a hearing, and were addressed in public by the Hon. NEAL DOW, the Rev. O. E. OTHMAN, Dr LYMAN BEECHER, Rev. JOHN PIERPONT, and C. W. GOODRICH. The Committee reported a Bill containing the essential features of the Law, but stipulating for the manufacture and use of alcoholic liquor for all *necessary* and *useful* purposes. The debates were remarkable for eliciting brilliant appeal and important facts. Though this State is, perhaps, the *best educated* one of the whole federation, and possesses great industry and wealth, it had not, *by these social means*, even aided by the most remarkable Temperance movement which the world has ever seen, operating ever since the year 1813, and with unexampled success since 1826,—it had not, we say, succeeded in preserving the Commonwealth from a frightful sum of Intemperance, Pauperism, and Crime. Above \$8,500,000 were annually expended on the *retail* Traffic, which involved a further cost for Pauperism, traceable to Intemperance, of \$2,000,000. Nearly a thousand idiots were found in the State, the children of the Intemperate.

*Commitments for Criminal Offences, in Massachusetts, in 1851.*

|                         |       |                                |             |        |
|-------------------------|-------|--------------------------------|-------------|--------|
| To Gaol for Crime ....  | 6,686 | of whom 2,261 were intemperate | = 34 pr ct. |        |
| To Houses of Correction | 3,175 | ditto                          | 1,589       | = 50 " |

The Hon. Mr POMEROY ably replied to several objectors. "The principle," he said, "had always existed in legislation: it was nothing new here. Ring the changes on 'human liberty' if you intend to rope and confine your victims! If we deprive any man by this bill of his liberty—it is of his liberty to do wrong, for which he never had the right." It finally passed both houses by large majorities—and was signed by the governor May 22nd, 1852—to go into operation in sixty days.

Four victories won within the year, and still the tide of battle rolled on. The cry was set up, notwithstanding the fact of the twenty years' agitation for *No-licence*,—of unpreparedness and 'premature action.' By the doubting, the season of preparation is never used, and that of success never comes. Certainly we would not wed

'Rash haste, half-sister to delay.'

Neither would we counsel worse marriage with the *whole-sister*—  
'Procrastination—the thief of time.'

Hear the instructive answer of Dr MARSH, on behalf of the American Temperance Union:—"Vast multitudes said, They *were* prepared for it; and what would another generation be without it? What were we fast becoming under our present License Laws, with the waves of a foreign population rolling in upon us? *Nothing better, but continually worse.* They wish to impose no law upon the people by force; but when a people demand a law for *protection* against the Traffic, they *do* require that it shall not be holden from them, because that, by the craft to be destroyed, distillers, brewers, and venders have their wealth. The thief might as well remonstrate against a law that grapples his hand when thrust into his neighbor's pocket,—the licentious man against the law restraining his licentiousness. In demanding protection by law, they relax no effort of moral suasion." As well talk to tigers as to the majority of the Traffickers, and ask the beast to relinquish its prey. "The vast influx of a foreign population, their deep sensuality; their readiness to engage, in all towns and cities, in the liquor trade; the ease with which they procure a licence, and the corrupting influence of their liquor-shops, *are viewed with much anxiety by all who love their country.* In five years, 1,041,238 immigrants arrived in New York alone—persons who knew nothing of our habits—who look from afar upon this as the land of licence [and these, at least, are *prepared*]—prepared to be the pillars of this Temple of the Demon of Blood. *As one of the results*, notwithstanding millions of teetotalers [and national education], we are vast consumers of intoxicating drinks—an average of *six gallons a head* of ale and spirits to all our population above childhood! For the year ending June, 1850, there were 27,000 convicted criminals! Of these, 14,000 were Foreigners—[and great num-

bers of the rest *had* been the neglected children of drunken foreigners]. On the day of the completion of the census, the whole number in prison was 6,702, of whom 2,460 were foreign. Of the *Paupers* fed by us, 68,538 were of Foreign birth; only 66,434 Americans.\* For their sakes, and for our protection, then, a Maine-Law is loudly demanded."

Gallant VERMONT, the 'Green Mountain State,' in December 1852, came *fifth* in the realization of this Prohibito-Protective Law; the legislature submitting the time of its action to the decision of the people. On the 5th January, at Rutland, in a State Convention, the people expressed their *viva voce* satisfaction in the law, with immense enthusiasm, and on the 6th February, 1853, affirmed the law by their *votes*.

MICHIGAN came *sixth*; and on the law being submitted to the people as to the time of its operation, they voted, by overwhelming majorities, for its immediate action.

The Liquorish-party, of course, made what resistance they could—fed the lawyers, bribed the legislators, and appealed to the judges. Nevertheless, justice was finally done. In 1856, seven out of the eight judges of the Supreme Court affirmed the 'constitutionality' of the law.

On the 10th March, 1853, in answer to attempts made by the Traffic to misrepresent the law, the people of MASSACHUSETTS held the largest Temperance Convention which had ever assembled in Boston, and passed some expressive resolutions without a single dissentient. After eight months' trial of the law, they congratulated each other on its possession, as a law whereby, if faithfully executed, they shut up grog shops, abolish liquor debts, guard the weak and young from temptation, suppress the chief sources of crime and pauperism, and put the sale of spirits into responsible hands for lawful purposes—just as we do, or should, arsenic and other poisons in England. "That this law is to be regarded as the *Total Abstinence Pledge of a whole State*—[in regard to the sale and purchase]—and that it is a duty to God and humanity, for the State as for every individual, to keep the pledge unbroken; that we believe in the manifest destiny of this law, to spread, ultimately, with the spread of the Anglo-Saxon race." Considering that *this race* has always been disgracefully distinguished by its liability to run into drunkenness—[but who calls it *therefore* a 'weak' race? ]—there is a peculiar fitness in its adoption of this safeguard.

In the meanwhile, agitation was going on, and important changes transpiring in other States. The Massachusetts Act, unlike that of Maine, did not prohibit the manufacture and the export, but only the sale for drinking purposes *within* the State. Evils pre-

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\* In Philadelphia, out of 5000 tenants of the *Almshouse* in 1851, 2709 were *drunken men*, and 897 *drunken women*. Total Pauper-recruits FROM HOUSES APPOINTED TO REGULATE THE TRAFFIC, in one single city, 3,606. Out of 775 liquor dealers in Albany, not 100 are native Americans.

dicted to arise from the *execution* of the law,—as broils, fights, resistance, and injury to commerce,—turned out to be visionary: and after the lapse of five years, the only serious disturbance was one 'got up' by spreading the calumny that the author of the law was himself evading it! Even then, the parties concerned were of the lowest description, chiefly sailors and Irish, incited by more intelligent, but reckless, conspirators behind. By the operation of the law, indeed, Manufacturers and Venders were subjected to inconvenience and loss, but generally no greater than is often experienced in changes not decreed by law, but demanded by the caprice or progress of society. Public-houses submitting to the law lost this *one* branch of revenue, and still prospered in their proper capacity as *Inns*; while others, in ceasing to exist, proved that they were not necessary as *inns*, but, as tippling-houses, had been nuisances. In the country towns, dram-shops, almost universally, were quietly closed.

In some of the larger commercial towns, owing to that Foreign influence and 'Trade connexion' which sustains the prohibited *Slave-Trade* in New York, the law which prohibited drink-traffic was not enforced. In BOSTON, for example, things went on much as before: though a strong protest against the neglect was drawn up by a large majority of the council. In fact, just prior to the passing of the law, above 700 licences were granted for a year by the city government. The author, in this year (1853), was personally cognizant of much dissipation and intemperance in Boston: and found its social condition, in many respects, *an unenviable contrast* to that of towns where the Magistracy virtuously enforced the law. Citizens in the interior had only to visit Boston, in order to discover the practical merits of the law, by the logic of contrast.

§ 142. In NEW YORK State the agitation continued unabated. Petitions poured in upon the Legislature at Albany—one of them is noteworthy, from being signed by 20,000 females.

In September 1853, the author was present, as an English representative, at the World's Temperance Convention in the city of New York. It was never his fortune to witness such magnificent and unanimous meetings as then assembled within the vast Metropolitan Hall—including hundreds of delegates,—the very *elite* of society—from the sea border to Wisconsin, and from Canada and Nova Scotia to New Orleans. Shortly afterwards, he was present, by invitation, at the State Convention at Boston, where, in that centre of intelligence and wealth, he found the leading minds of the country unanimous in their earnest support of the Law. The Hon. HORACE MANN, the Venerable Dr BEECHER, and his son, Dr EDWARD BEECHER, Professor STOWE, LLOYD GARRISON, Judge HOAR, Dr GANNETT, THEODORE PARKER, and the Rev. JOHN PIERPONT, were amongst the distinguished persons taking part in the proceedings. Political questions, in the enthusiasm enlisted in this absorbing topic,

were laid aside as of minor moment. Men of opposite creeds and parties coalesced on this point. In short, we witnessed the prestige of the ultimate, universal triumph of this cause in the United States—a triumph as certain and necessary in social development as the revolution of the planets and the succession of the seasons.

The beautiful State of OHIO had been strongly moved by the Prohibitory question : and amongst the agitators we may name General CARY, of Cincinnati, a man of singular eloquence and power—a lawyer by profession, but, by good fortune, able to devote his talents and energy to a ‘cause’ which involves the wholesale prevention of broils and disputes—the rectification of the wrongs of a Nation. Petitions, with 250,000 signatures, were presented to the Legislature of 1852-3. Ohio subsequently suppressed the sale *for use on the premises*.

In WISCONSIN, this year, the Maine Law was lost by a single vote : while INDIANA passed a law bordering upon it in stringency. The old law in Wisconsin made the vendor responsible for damages ; while, by another law in IOWA, every dram-shop is declared a nuisance, which may at once be broken up and exterminated. But these enactments all *spared the liquor*—and hence not one of them has answered its end—or superseded the necessity of a Maine Law. All other laws allow the vendor to *transplant* his machinery and material of mischief—which is the same folly as if a Victorious General should *liberate his prisoners* as fast as they were made—a course that, in recruiting the forces of the enemy, would speedily put an end to his own victories.

§ 143. The year 1854 was a year of mingled success and disappointment. In March, a Prohibitory Law passed the NEW YORK Legislature with very large majorities, but was unexpectedly vetoed by Governor SEYMOUR. This created great excitement, and lost him his office at the fall election, MYRON H. CLARK being triumphantly carried by the Temperance party. In various States sharp remedies were attempted for abating the evils of the Traffic. In GREENSBORO', ALABAMA, the liquor licence was raised to \$1000 ; in Marion, Alabama, to \$3000. In PENNSYLVANIA, the question was submitted to the people, and lost only by a majority of 3,000 votes against, in a poll of nearly 300,000. ‘Old Berks’ and the Dutch counties defeated it ; but in nearly all the counties of English descent the vote was favorable. By way of compensation for the New York disappointment, there was an important success achieved in New England—in that

Vestal State, which power could not subdue  
Nor promise win—like her own eagle's nest,  
Sacred—the San Marino of the West.

After a reign of two centuries in Old CONNECTICUT, the Licence System was abolished ; and on the 16th June, 1854, a Maine-

Law was carried by a vote of 148 to 61 in the popular branch of the Legislature, and 13 to 1 in the Senate. The Law was fixed to go into operation on the 1st of August, and was sure to be executed, for at the head of the State was Governor DUTTON, a good lawyer and staunch temperance man,—worthy descendant of

Men who sway'd senates with a statesman's soul,  
And look'd on armies with a leader's eye—  
Names that adorn and dignify the scroll  
Whose leaves contain their country's history.

Thus Connecticut became the *seventh* State, which, in the wake of Maine, had adopted a Prohibitory Law—the sixth which had been fired to emulate her wisdom within three years.

The Governor, the Hon. HENRY DUTTON, in a letter dated Newhaven, October 20, 1854, says:—"The law has been thoroughly executed, with much less difficulty and opposition than was anticipated. In no instance has a seizure produced any general excitement. Resistance to the law would be unpopular, and it has been found in 'vain' to set it at defiance. The larger the beneficial results of the law are seen and felt, the more firmly it becomes established... Connecticut, by her own law, and by the laws of the adjoining States of Massachusetts and Rhode Island, is now effectually guarded against the invasion of one of the worst enemies of the human race on all sides *except the west*. The principal obstacle in the way of complete success, consists in the importation of liquors from the city of New York into this State, in casks and demijohns, professedly for private use." Thus we again see that the drawbacks arise, not from too much, but too little Law, as regards its *extension*.

Four months after the passing of the act, the *Middletown News*, which had been opposed to the law, in alluding to the election in that city, confesses that, "Whatever may be said of the Maine Law, it has been instrumental in effecting a *considerable external change* in the habits of many—at least we do not see as many instances of intoxication as formerly."

At the meeting of the State Society in the Capital of Hartford, on the 16th November, the following resolution, among others, was unanimously adopted:—

"Resolved.—That the universal experience of the people, under the operation of our Prohibitory Law, *fully confirms our most sanguine expectations*, and establishes on a firm and sure basis, its wisdom, efficiency, and power."

The *New Haven Advocate* says: "From all parts of the State, the tidings continue to come to us of the excellent workings of the Connecticut Liquor Law. The diminution of intemperance, the reduction of crime and pauperism, the better observance of the Sabbath, etc., are the themes of rejoicing from every quarter. Men who voted against the law, and who have heretofore been its bitter opponents, are now its firm friends, and pledge it their future support."

Some months later, we find the *Hartford Courier* admitting that "there is not an openly kept tippling-shop in the city, and not a place where liquor can be bought, without surrounding the sale with such a degree of secrecy, as to prevent a general traffic."

In January, 1855, the Massachusetts Law was amended ; a section relating to the seizure of liquor made 'constitutional,' and some stringent penalties added, including a clause making the Seller liable to be sued by the *wife* of the drinker, when damages could be proved to be the result of the drinking. In New Jersey a prohibitory law passed the House, but was negatived in the Senate by a majority of *one*.

On the 8th February, 1855, INDIANA placed herself *eighth* in the race of prohibition, by overwhelming majorities, appointing the law to commence from the 12th June. The decision was welcomed in the capital, Indianapolis, by rounds of artillery, the ringing of bells from every steeple in the city, and other tokens of public satisfaction and joy.

Indiana has had the full operation of the Law arrested for a time, through the indecision and imbecility of her Courts.

On the 16th of the same month, the legislature of ILLINOIS prohibited, with Maine Law sanctions, all tippling-houses, but allowed the manufacture of cider and wine, and their sale in not less than five gallons. The people, however, vetoed the measure.

On the 20th of February, little DELAWARE (by a vote of 11 to 10 in the House) promptly passed a protective Law, the *ninth* star in the banner of Prohibition : the *Dirigo* to the tardy South.

In July, 1856, Mr T. B. COURSEY, in announcing that the Judges had unanimously sustained the law, says :—"Our law, which has not been more than *half* executed, has *greatly diminished* drunkenness, and almost entirely stopped the sale. We now look forward to its more vigorous execution."

On the 12th April, 1855, completing protection to the four great Free States of the West, came IOWA ; though *tenth* in the race of absolute Prohibition, it must be recorded that Iowa was one of the first to declare the traffic a nuisance.

The constitutionality of the Law has been sustained by the highest Courts. It is now vigorously enforced in KEOUK, a city of some 8,000 inhabitants. Mr KINBOURNE, the Mayor, says there is not a physician, lawyer, or merchant in the city who partakes of intoxicating liquors as a beverage.

New Hampshire, in the meanwhile, had been approaching the desired consummation—two successive Assemblies had passed the Bill, but the Senate, which is so elected as to make it the mere tool of the Central Oligarchy, vetoed the proposal. North Carolina, in February, passed a prohibitory measure through the House by a vote of 11 to 10.

Restrictive measures were adopted in Texas and Mississippi,

and in other States the initial agitation was commenced for the Law of Maine.

On March 10th, 1855, the Assembly of WISCONSIN passed the Law by a vote of 42 to 23 ; the Senate concurred, but the Governor vetoed it. The political party which had been dominant for forty years in New Hampshire was this month totally annihilated for its opposition to the Law, good men of all parties (including some of its own) uniting in the defeat.

The territory of NEBRASKA, about this period, passed a Maine-Law, in the wake of Iowa, fearing lest the tipplers and Traffickers of that State would be induced to cross the line, and over-run their territory. She was *eleventh* in the race.

§ 144. Next, not least, the four years' labor of the Maine-Law party in the Empire State was now to be consummated. In April, 1855, a Prohibitory Bill (somewhat marred from the original model) passed the Senate of New York by 21 votes to 11, and the lower House by 80 to 45 : and on the 7th April received the signature of the Hon. MYRON H. CLARK, the Governor, who had been elected on that issue, after one of the severest and closest struggles on record. This State, therefore, arrived *twelfth* at the goal. An idea may be formed of the inveteracy of the opposition, from the fact that on the day of the Bill passing the Assembly, points of order were called to for nearly three hours in succession, in order to exhaust the patience of the House ; motions being made to commit to select committees, committees of conference, and to a committee of the whole house. When the vote passed, the last move was a motion to 'reconsider the vote,' which was lost by 31 to 34. The day selected for the law coming into effect was the 4th of July—the anniversary of the day on which they declared their emancipation from foreign rule—a day than which none could be better for inaugurating a campaign against the Tyranny of the Traffic. In England, the event was celebrated on that day by the Grand 'Alliance' Fête in the beautiful grounds of Elvaston Castle, near Derby, a seat of the Vice-President, the Right Honorable the Earl of HARRINGTON, on which occasion two fine young trees (an American and an English species) were planted in the presence of 10,000 persons, called the 'Alliance Oaks,'—and the record of the event literally engraved there in gold upon the rock for ever.

There is a Prohibitory-Law also in force in one of the States south of 'Mason's and Dixon's line.' The Gallatin *Argus* contains copy of "An act to prohibit the sale and gratuitous distribution of liquors within police district No. 1, of the county of COPIAH," in the State of MISSISSIPPI. No more licences shall be granted, and only druggists and apothecaries may sell, "for strictly medicinal purposes." The penalty for the first violation of the act is \$100 fine, and ten days in the county gaol ; second offence, \$200, and imprisonment in the county gaol not exceed-

ing thirty days. *This Prohibitory Law was approved on the 6th of March, and took effect on the 1st day of May, 1856.*

§ 145. It is difficult for persons not personally conversant with the social state of New York to understand the great need of this reform, and what is meant by 'the dangerous classes' which the Maine-Law is so well calculated to modify and improve, if it can be efficiently executed by honest rulers, instead of being committed to place-men and mob-representatives. We take up a file of papers, and in a Boston one we note the following incident, under date of June, 1854:—

"Another occurrence of much moment was the *bloody riot* in Brooklyn, N. Y., on SUNDAY. *Thirty persons were more or less seriously injured by fire-arms, stones, and clubs.* The fight was between the 'Know-nothings' and the Irish; the latter being, in this case, the aggressors, though excited by false reports of the intentions of their enemies to attack them.

"On the same day, two riots occurred in New York city, between hostile fire-companies, which required the strong arm of the police to suppress. *The frequent recurrence of these scenes of lawlessness and violence are alarming indications of the depreciation of the moral tone of the community, and naturally fill the hearts of thoughtful men with fear and trembling for the stability of our Republican institutions, since the only foundation of these is the intelligence and morality of the community.*"

They are bad friends of Freedom here who cannot sympathize with the efforts to get rid of that Traffic which lies at the root of all this danger. The friends of the Law, notwithstanding its triumphant passage through the Legislature, knew but too well the difficulties they would have to encounter in its execution, through the opposition of officials and lawyers interested by the Traffic, or representing the loose and immoral part of the community. They commenced their work of preparation, however, in a noble spirit. Governor CLARK, in his message to the Legislature, had said:—

"That the good results hoped for from the legislation recommended, are legitimate to it, several of the New England States, especially Maine and Connecticut, furnish the most gratifying evidence. The steady diminution of crime and pauperism in the States referred to, with a consequent and corresponding reduction of taxation, and the new impulse given to almost all industrial pursuits, by the transformation of those who were once a burden upon the State into producers of wealth, constitute an argument in favor of the policy advocated, which, while it carries conviction to the statesman, will be no less appreciated by the multitude, unskilled though they may be in casuistry, but also undebased by appetite and unperverted by interest. If anything is to be learned from the example of other States, or to be deduced from our increased experience, it should be made available to our use; and our legislation, upon all subjects, should keep pace with our advancing intelligence, always expressing the highest truth we had received, and reaching forward to the greatest good attainable."

§ 146. On the 13th of August, 1855, the last of the New England States, NEW HAMPSHIRE placed herself *thirteenth* in the race of Prohibition. This was a crowning victory, which tended at once to sustain the law in the adjoining States, and to temper the reverse of the following year, to which we shall presently allude. Governor METCALF, elected for a second time, in his annual message to the Legislature, 1856, said that "the act is "having a salutary effect. *It is more fully regarded and practi-* "cally sustained than any Licence Law we ever had in the State. "In many towns the sale of intoxicating liquors is wholly aban- "doned, and in others it is sold only, as other penal offences are "committed, in secret."

§ 147. It is important to understand that the Legislative opponents of the *Maine-Law* never propose reverting to the old system of *irresponsibility*: on the contrary, they propose measures so stringent that, in Great Britain, the most respectable Traffickers would prefer to make a clean sweep of it altogether. The *New York Herald*, a rum, pro-slavery, but widely circulated paper, thus records the debate in the Legislature at Albany, in 1853, when the friends and foes of the Law each presented their Reports to the House:—

"The temperance excitement in the Legislature has nearly reached its zenith. The friends and opponents of the Maine Liquor Law have each presented their reports. Mr DEWEY commenced reading the report, and the manner of his reading, and the *classical language in which the report is couched*, very soon attracted the closest attention of every member of the House, and the whole immense auditory. It was soon perceived that the subject was in the hands of no ordinary man, and that the *fanatical* Maine Liquor Law had been grappled by a master mind. WILLIAM DEWEY, of Jefferson county, by this great effort, has signalized himself in a most conspicuous degree, and his production, presented to the Legislature and the people this day, will do *incalculable benefit in arresting the progress of fanaticism*, which has been running rampant through the State. Instead of the Maine Liquor Law now before the House, this committee—Messrs DEWEY and ODELL—propose to regulate the sale of liquor by electing a Board of Excise, with power to issue licences; retailers in towns and villages containing over one thousand voters shall pay for licence the sum of *one hundred dollars*; in places containing two thousand and upwards, *two hundred dollars*—to sell nothing but liquor, and that to *adults only*—in *taverns*; *not to be sold to any citizen, but to travellers alone*—retailers to be subject to pay all damages which may occur from intoxicated persons—and punishment to be inflicted for selling to minors."\*

After the passing of the Law in New York, in 1856, the Rum party are known to have paid \$10,000 dollars to two leading journals for space to oppose the Law, and, as we have said, Lawyers were employed to carry liquor cases to the minor

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\* Governor Pollock, in his message to the Pennsylvanian Legislature, 1856, shows that no one believes in the old system. "That the laws (previously) in existence were imperfect, and failed to check or control the evils of intemperance, is a proposition too plain to be doubted."

courts : many judges sustained the Law (see § 8)—some adjudicated against it—not, mark, its principle, but its *methods* of action. When the verdict was in favor of the Law, the case was moved to the ‘Court of Appeals,’ where the eight Judges had to decide the points together. Pending these suits and appeal, of course no efficient action could be taken—in short, in all localities where such appeals were made, the Law virtually ceased. Yet, such was the public opinion in its favor—such the respect of the genuine American population for ‘the States’ collected Will’—that over *two-thirds* of the vast area of New York State the Law was implicitly obeyed and honored.\* What the state of things was in the fall of 1855, the journals of the day witness. The *New York Reformer* says:—“This law has done a wonderful deal of good since it went into effect, notwithstanding the *Herculean efforts of its foes to render nugatory its beneficent provisions*. We advocate a ‘Fusion’ of the virtuous and order-loving of all parties to sustain it. Unprincipled political leaders may denounce the ‘fanaticism’ that labors to ameliorate the condition of humanity, and will seek by every means to chain the wheels of Reform to the *jug-gernaut* of conservatism—in vain!” The *Saratoga Helper* says:—“It is true the law has not been properly enforced, but when, before, was there ever such *superhuman efforts made to oppose and break down the law*? When, before, has a class banded together, raised large sums of money, and openly defied the legal authorities? The resistance does not come from the people—it is the desperate struggle of a bad business to maintain itself in the public regard. Against this bitter, unrelenting opposition, the friends of right have had to oppose the doubtful bulwark of *an untried law*—have had to feel their way carefully in administering it—and they are suffering all the inconvenience of the delay of the courts.”

On the 16th January, 1856, Governor CLARK delivered his message to the assembled Legislature at Albany. He thus manfully referred to the Prohibitory Law:—

“Notwithstanding it has been subjected to an opposition “more persistent, unscrupulous, and defiant than is often incurred “by an act of Legislation,—and though legal and magisterial “influence, often acting unofficially and extra-judicially, have “combined to render it inoperative, to forestall the decision of “the Courts, wrest the Statute from its obvious meaning, and “create a general distrust in, if not hostility to, all legislative “restrictions of the traffic in intoxicating liquors,—it has still,

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\* It is a significant incident in the history of the Prohibitory Law, showing how the most respectable classes regard the sale of spirits for tippling purposes as a social *Nuisance*, that when bands of women in the West, and even in Cattaraugus county, New York—not drunken, noisy women, such as led the Exeter bread riot, but quiet, well dressed, persistent ladies—have gone to the grog-shops, broken the kegs and demijohns, and poured out the liquor a sacrifice to the Household Gods, Juries have, upon prosecution, invariably acquitted.

"outside of our large cities, been generally obeyed. The influence is  
"visible in a marked diminution of the evils it sought to remedy."

One illustration of the Governor's remark may be given, out of many. The Mayor of Albany intimated to his police, that if they meddled with the law at all, they should be dismissed! The Recorder of New York told the Grand Jury not to *entertain* any complaints! Yet the parties who initiate such proceedings publish to the world the failure of a law which they never tried!—wishing the people to forget that *a law can no more work itself* than can a physician's *recipé*. That some members of a family *prevent* the sick member from taking the *physic*, is surely very absurd as an argument against the wisdom of the *prescription*!

At last came the anxiously looked for decision of the New York Court of Appeals, at Albany. To English minds, the whole affair has a strange aspect; for we find the Court sitting, not to *expound* and *apply* the Law of the State, but to *criticise* or *ARRAIGN* it—constituting itself, in point of fact, an *imperium in imperio*, with at least an obstructive faculty! This Court is composed of four Judges *elected* to it, and of four Justices of the Supreme Court. The Judges, on this occasion, were DENIO, ALEXANDER S. JOHNSON, COMSTOCK, and SELDEN. The current Justices were—MITCHELL, of the first district; WRIGHT, of the third; HUBBARD, of the fifth; and THOMAS A. JOHNSON, of the fourth. The cases were entitled, "People *versus* Wynchamer," and "People *versus* Toynbee." As the point is of some interest, though a difficulty peculiar to the New York Act, we give our analysis of the decision of the Judges:—

1st. The published propositions of the Court collectively were as follow:—

"I. That the Prohibitory Act, in its [*method of*] OPERATION upon [*legally licensed*] property in liquors existing in hands of any citizens when the Act took effect, is a violation of the provision of the Constitution of this State, which provides that no person shall be 'deprived of life, liberty, or property, without due process of law.' This Court is of opinion that the VARIOUS [*unspecified*] provisions, *prohibitions*, and *penalties* substantially destroy the property [*so guaranteed*], etc.

"II. That, inasmuch as the Act does not DISCRIMINATE between liquors existing in hand [*legally licensed for sale*] when it took effect, and such as might be acquired [*allowed*] by manufacture or importation, and [*so*] does not *counthance*\* any defence based upon the [*constitutional*] distinction,—it cannot [on account of *AMBIGUITY*, or excessive generality] be sustained in respect to such liquor, *whether on hand* or acquired; ALTHOUGH ALL THE JUDGES† ARE OF OPINION THAT IT WOULD BE COMPETENT FOR THE LEGIS-

\* But it does not *prevent* the Judges from countenancing such a distinction, if *sound*: it allowed three months' interval or notice, before coming into effect.

† HOWARD's *Practice Reports*, contain only the opinions, *not the confused summary* of the three propositions. MR DENIO gave no written opinion, though against the law. His decision, therefore, as *evidence*, or *authority*, goes for nothing. WRIGHT, MITCHELL, SELDEN, and the JOHNSONS, explicitly sustain the *right to prohibit sale of liquor on hand*: it is disputed only by COMSTOCK and HUBBARD, and their reasons are very satisfactorily met by their *compeers*. On

LATURE TO PASS SUCH AN ACT, except as to some of the *forms of proceeding to enforce it*, provided such act shall be plainly *prospective* as to the [exact] property on which it should operate.

III. That the proceeding in a Court of Special Sessions authorized by the said Act, is unconstitutional and void, *on the ground that the party accused is thereby deprived of the right to trial by jury*, guaranteed by the Constitution."

We do not see much to dispute about in reference to the meaning of this judgment. We know not whether the language of these propositions is that of the judges themselves (one or more), or of some Clerk or Reporter: it is certainly very *clumsy*; but as certainly not ambiguous. Noting the significance of its allegations, but doubting its law, we find that it comes to this:—

I. That the *New York* Act has several legal flaws in it; but that its legislative OBJECT and PRINCIPLE is Constitutional, and only requires amending in its *expression and process*.

II. That one of its technical flaws consists in giving to the judges no distinct principle of discrimination *to apply* to actual cases, being so general in its phraseology as, if not to *contradict*, at least not to *countenance*, an acknowledged principle of the Constitution (the judges themselves being *disinclined* to discriminate). That, for example, no due provision (of notice or compensation) is made as to property legally held *before* it is declared illegal; and no *clear instruction* given to the subject as to what property may be acquired under the new regime.

III. That the *process* of enforcing the law through penalties in a Court of Special Sessions is a denial of the *right of Jury*.

There seems, we confess, some little reason in the second proposition (which, as regards 'property in hand,' is part of Proposition I.)—reason for amending the law, not disputing it. As to the third, we do not comprehend it. Is it a fact that all laws in America are *executed only through juries*? Is the man accused of robbery strip of his personal property only after a jury of his peers has decided so by verdict? Is there no summary conviction in the United States? How are infringements of revenue laws dealt with? Has the Legislature of a country *no right* to set up even a new *process of Law* to enforce the laws? If not—does the 'Constitution' discriminate, judge, and enforce itself? Wonderful 'Constitution'!

In regard to Proposition II, however, it appears to us that the duty of the judges was to carry out the obvious intentions of the law, under such *limitations of its generality* as the Constitutional Rights might require and fix.\* The only two points, of importance, then, are these:—

(a) Can the Legislature 'constitutionally' decree that *property*

the *main principle* of the law, therefore, we have 5 to 2 in favor of its constitutionality. How, in the face of the opinions themselves, the phrase 'all the Judges' got into No. 11, we cannot divine.

\* So T. A. JOHNSON, for the law, expressly agreed. "If the language is *susceptible* of interpretation in harmony with the declared object of an enactment, Courts

on hand, at a given time, is illegal and contraband *when used in a given way*?

(b) Did the New York Act so 'constitutionally' decree liquor-on-hand to be contraband for certain uses?

To the first (a), the Court UNANIMOUSLY answers—"It is competent." To the second (b) some of the judges reply, The *Act* does not express itself with sufficient *specificness* and *discrimination*; and its procedure anticipates an appeal to a Jury.

One thing, then, is very certain: *that the Law is not prohibited because it is a Maine Law, or because it forbids the sale of liquor on hand, or otherwise for certain purposes*; but BECAUSE IT DOES NOT DO THIS WITH SUFFICIENT DISTINCTNESS AND PRECISION. The right to prohibit, says Proposition II, is *agreed upon by all*; and upon no other point are the judges so *unanimous*! The friends of Prohibition, therefore, should not be discouraged: it is their enemies, rejoicing in the legal defeat of a law which they previously sought practically to defy—a legal defeat on *technical* grounds, of a law admitted to be constitutional in principle—it is their enemies, we say, who ought to be ashamed and confounded: for no attitude can be more mean, anti-social, and unconstitutional in spirit, than the one they have assumed. Let the Friends of Prohibition marshall their forces anew, and march to the *final victory* in the old heroic spirit. They have succeeded in *getting* such a Law: let them now turn their attention to perfecting its form and machinery, and to *making* the Men that shall *execute* the Measure.

O, such a day,  
So fought, so followed, and so fairly won,  
Comes not till then to dignify the times.

It is a legal point *what laws* remained, if any, in force—but the effect of the decision was the utter prostration of the *Act*. It brought in its immediate train, a very tragical event.

Few persons, during the past two years, had labored more zealously for Prohibition than the late B. F. HARRWOOD, the beloved Clerk of this same 'Court of Appeals.' He had often declared that the Prohibitory Law was his only chance of escape from that fatal propensity which has strown his noble profession with so many wrecks. When the time came for the assembling of the decisive tribunal, he visited Judge COMSTOCK, and besought him, and his colleagues on the bench, to save the law.

"Judge COMSTOCK," he said, "you know that I am addicted to drinking; but you do *not* know—no living person knows, how I have struggled to break off this habit! Sometimes I have succeeded for a while, and then

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are bound to give it that interpretation. They can only give a construction which will convict the legislator of absurdity or folly, in cases when the language employed is so clear as to leave no alternative." We may add, that living Judges are required chiefly for this purpose—to make *specific* applications of the vague or broad principles of the law, *because* the law cannot alter or speak for itself. Some of these judges, following the reverse course, ignore a law because it cannot *discriminate* for itself!

these accursed liquor-bars, like so many Man-traps, have effected my fall. For this reason, I have labored for the Prohibitory Law at every stage. Great numbers of our Supreme-Court Judges, and others of our most learned and able jurists, have endorsed its constitutionality. For myself, I have no more doubt of its constitutionality, than I have that I am now alive. So great and beneficent a measure should not be balked upon the mere *technicalities* of our profession. My last hope, Judge Comstock, is with you. Sustain the law for which I have labored, and my energy will be redoubled. Close the liquor-bars, even the respectable liquor-bars, and I shall be saved. *Your decision is with me a matter of life and death!*"

On the morning of Tuesday, the 25th of March, amidst the most painful suspense, the eight Judges took their seats. The vote of five of their number was handed to the Clerk to be entered: *We declare the Law to be void.* How did Mr Hарwood feel at that terrible moment? As a man feels who has to write his own death-warrant. Then the last hope of a noble heart gave way. During the week, he fell before temptation and despair combined. On Saturday night, he raved—four men could not hold the man who was so gentle, when himself, that a little child might lead him. By eight o'clock on the *Sabbath morning*, the Liquor Traffic had achieved one of its signal victories, and the city was startled at this swift and awful commentary upon the Decision of Tuesday. It was the one topic of conversation all day Sunday and Monday—"Death by the Traffic, in the Court of Appeals!"

What are now the gains of Prohibition in the West? What its position and its prospects? The report read at the Twentieth Anniversary of the American Temperance Union, May 1856, eloquently and hopefully declares:—

"VERMONT, NEW HAMPSHIRE, MASSACHUSETTS, RHODE ISLAND, CONNECTICUT, DELAWARE, MICHIGAN, IOWA—all stand firm in the freedom which God has given them; and in each of these States drunkenness is dying out, crime is diminished, Sabbaths are quiet, poverty is exchanged for plenty, domestic discord for family peace; the young are freed from much temptation—and manufacturers, railroad conductors and travellers, mariners and mechanics, are all feeling the benefits of the expulsion of the Traffic, *though as yet imperfect*;—results which confound philosophy, put to silence the babblings of revilers, and make men shudder to touch the gold which once was so greedily gathered. In *these* the Law has passed the ordeal of courts, and come out untouched by the fire;—the ordeal of the ballot-box, and stands stronger than before;—the arts and devices of political intrigue, and made even this ashamed of meddling with that which so assuredly promotes the moral and physical interests of men. To-day we stand before the world on loftier ground, having more of the confidence, the respect, the love, and the prayers of all good men, than at any previous anniversary. We are, in fact, a spectacle to the world—to angels and to men."

## II.

§ 148 Let us now indicate, by some facts and figures, and by official, political, and professional testimonies, beginning with NEW YORK State, what have been the *Social Results* of an imperfect, because initial and impeded, Prohibitory Law.

In publishing Statistics on this question, we shall, so far as is possible with the documents before us, eliminate or distinguish sources of fallacy and confusion, of which a Mr LINDSAY, in the *Toronto Leader* (whose *thirty-six hours'* tour in the Maine-Law States was republished by the *Economist* in this country, with all its topographical errors), has taken advantage to misrepresent the case for his constituents of the Traffic. For example, we shall not, in estimating *Crime* lessened by the Law, take account of the cases of violation of the Law itself—which are for acts that, in their relations to the public, were the same before they were treated as offences as now, only vastly more numerous and mischievous. Sometimes, even, we shall not notice 'Drunkenness'—first, because, in this argument, we treat of drunkenness, not so much on its own account, as for that to which it leads—and second, because, in very many places, before the law was passed, simple drunkenness was left unheeded by the police, but after the law it was narrowly watched, and instantly pounced upon. In both such cases, the *Acts of Offence* might be greatly diminished, while the *Committals* were somewhat enlarged.\*

The returns in the following table, illustrating the partial operation of the New York Law, are for the same period (save Utica), which is but for four months, instead of six—namely, from the 6th July to the 31st of December inclusive of each year, excluding cases of simple drunkenness:—

| COMMittALS FOR OFFENCES<br>EXCLUDING DRUNKENNESS. | 1854. | 1855. | DECREASE<br>IN FAVOR OF<br>THE LAW. |
|---------------------------------------------------|-------|-------|-------------------------------------|
| Cayuga County Gaol.....                           | 85    | 59    | 26                                  |
| Onondaga , .....                                  | 138   | 103   | 35                                  |
| Seneca , .....                                    | 75    | 28    | 47                                  |
| Ontario , .....                                   | 89    | 45    | 44                                  |
| Albany Watch House.....                           | 1974  | 1,278 | 696                                 |
| Syracuse (Police Record)..                        | 778   | 515   | 263                                 |
| Auburn , .....                                    | 104   | 50    | 54                                  |
| Rochester , .....                                 | 1552  | 740   | 812                                 |
| Utica , .....                                     | 165   | 80    | 85                                  |
|                                                   | 4,960 | 2,898 | 2,062                               |

\* Some one quoted Judge H. W. Bishop, to prove that the Law made bad worse. "Criminal business has very largely increased under the New Law." Was this true? Quite true—for one side of truth. Turning to his charge, we find he goes on to explain, "I had, in my last term in the County of Middlesex, no

Such results, however, were nothing new. In the County of ONTARIO, under the operation of *No-liscence*, the inmates of the Gaol were reduced from 125 in the year 1845, to 53 in 1846. In 1847, licences were again granted, and the inmates of the gaol increased to 132. In the County of GENNESSEE, a similar course of things—*No-liscence* succeeding to *Licence*, produced similar issues.

So, in *Potter County, PENNSYLVANIA*, the traffic has been for a considerable time suppressed, the Judge refusing to grant any licence. The consequences have been, that *the prison has become tenantless; there is not a solitary pauper in the county*; the business in the Criminal court has ceased, and Taxes have been reduced one-half.

§ 149. On our own visit to the States, we sought for authentic information and facts against the law. We read public debates, between its friends and the Rum-sellers' advocate (a Mr BEEBEE, engaged at \$8 a day)—we perused articles against it in various newspapers, ranging from Columbus to New York, and from Bangor to Baltimore,\*—but the sole authentic, non-anonymous statements we could meet with, were those contained in the columns of the *State of Maine*, subscribed 'JOHN NEAL,' of Portland, in the number of that paper for August 24th, 1853. After some calumnies and envenomed personalities against Mr NEAL Dow (afterwards retailed in Britain by Mr BERELEY), the letter proceeds to make two assertions.

1.—"At this moment—and it has been growing worse and worse every day since the first three months were over, when people were blinded by its presumption, or frightened by its rashness—*there is more intemperance and more drinking in this city and neighborhood, and PROBABLY throughout the whole State of Maine, with here and there a doubtful exception, than there has been at any other time for twenty years.*"

2.—"Young men have banded together to evade the law. Rum sellers have brought liquor with them to our public-houses. Children carry liquor casks about with them; and bottles are made in the shape of Bibles, so bound as to deceive the eye."

If this last be true, it is *proof* that *Grog-shops* were at least suppressed pretty generally. On the 27th of the same month, Mr Dow published a dignified and trenchant letter of reply, from which we cite the following passages:—

"The facts in relation to the working of the Law have been published

fewer than 104 indictments *under the new law*. I say, without fear of contradiction, that nine-tenths of all crimes of personal violence are committed in a state of intoxication, and if the source of the evil is dried up by the new law, Judges by and by will have little criminal business to attend to."

\* We put on record one sample of the whole—taken from the *Albany Atlas*, August, 1853:—

"PRACTICAL OPERATION OF THE MAINE-LAW.—The following is an extract from a letter received by a commercial house in this city, from a large distillery and rectifying establishment in New York, which deals largely with the Eastern States:—The fact is, that since the passing of the Maine-Law, we find it difficult to supply our orders; and should our own Legislature pass a similar law at their next session, *we shall take measures to enlarge our works immediately!*"

often for the last two years, and never has any attempt been made by any responsible person to disprove them.

"At the time of the enactment of the law, rum selling was carried on openly in all parts of the State. In Portland there were between three and four hundred rum shops, and immediately after the enactment of the law not one. The wholesale trade in liquors was at once annihilated throughout the State.

"In Portland large numbers of men were reformed. So thoroughly did the law accomplish its objects, that temptations to intemperance were in a great measure removed out of the path of the young and inexperienced.

"A Mr CARLTON came to Portland to attend a law suit, and brought a witness, who was a very intemperate man. Mr C. feared his witness would become intoxicated, and be of no use to him. They arrived in town at 7 o'clock, p.m., and from that time until 12 at night, Mr C. saw nothing of him. At that hour, the witness came to the hotel, perfectly sober, and said to Mr C. that he had 'travelled more than five miles and couldn't find a drop.'

"It was the unanimous declaration of all the watchmen and police, that the city was like an entirely new place. Many shops, which before were rum shops, were converted to other branches of trade, and almost every indication of intemperance was banished from the city.

"At the end of the municipal year, 1851-2, an official report to the City Council on the operation of the law in Portland, was ordered to be printed and distributed through the city, which was done; and its statements were not at the time, nor have they since been, denied."

"A great many families [poor and miserable] a year since, are now comfortable and happy, being entirely relieved by the suppression of the grog-shops from their former troubles.

"The whole of the great sum which was formerly expended for strong drinks by the people of this City and State, will henceforth be expended for necessities and comforts of life, with the additional amount which will accrue from the more industrious habits of the people, or will be added, year by year, to the accumulating wealth of the State.

\* Ten Months Effects (June 1st to March 20th) 1851. 1852. Decrease.

|                                                              | 1851. | 1852. | Decrease. |
|--------------------------------------------------------------|-------|-------|-----------|
| * Committed to ALMS HOUSE .....                              | 252   | 146   | 106       |
| * Inmates of Alms House on March 20th.....                   | 112   | 90*   | 22        |
| * Outdoor aid to Families .....                              | 135   | 90    | 45        |
| * Committed to HOUSE OF CORRECTION for<br>Intemperance ..... | 46    | 10†   | 36†       |

\*At the term of the District Court, in March 1851, there were 17 indictments; at the term for 1852 there was but one (for petty larceny), and that the result of a mistake."

In the time of Mayor Dow, the House of Correction was empty: but some relaxation in the police (*the seven-years electoral justices*, be it remembered, *yet* contain rum-men amongst them, who wink at evasion) having followed, we find that, in 1854, nearly one a week was sent to the House. In a pamphlet of 100 pages, published at Toronto, entitled *The Maine-Law Illustrated*, being the tour of investigation made in February, 1855, by Mr A. FAREWELL and Mr G. P. URE, on behalf of the Canadian Prohibition League, we find a vast number of testimonies to the

\* N.B. 75 of these came here through intemperance.

† Notwithstanding much greater activity of the Police under the new law.

same effect, from persons of the highest character, including Bishops, Judges, Governors, Mayors, Marshals, Magistrates, Ministers, Professors, Physicians, Counsellors, Representatives, etc. Their own conclusion is thus stated:—"It is almost universally acknowledged to be as successful in its operations as any other penal law that was ever enacted." At CALAIS, on the New Brunswick border, N. SMITH, Jun., of the Executive Council, says:—"Where enforced, the results are good; the only places where it can be said to have failed are where they have had Anti-Maine-Law Justices—*irresponsible* for seven years, save by impeachment. Many of those who sold liquor have turned their attention to other businesses, *and are now better off than when selling liquor*. They have far fewer bad debts, and more reliable customers." Mr SYDNEY PERHAM, Speaker of the House of Representatives, says:—"My knowledge of the workings of the law extend over a large section of the State; I can assure you, the law *works well*." Professor POND, of BANGOR, says:—"I have not seen a drunken man in our streets for the last six months. The House of Correction has been, at times, *almost empty*; I know not but it is so now. The expense of Paupers is greatly diminished."

Under date of September 1854, the *Edinburgh News* Commissioner thus writes of WATERVILLE:—

"Ten or eleven years ago, the cost of pauperism rose in a manner unaccountable but for excessive drinking, from \$700 to \$1,800 a year. I am told that this year, with twice the population, the public payments for the poor will not exceed \$1,000. *The amount of crime is also greatly lessened*. Those who still deserve the name of drunkards, are mostly Irishmen and French Canadians, the latter people having settled somewhat extensively in the northern parts of Maine."

On the 8th of March 1852, the Marshall of GARDNER reports that "at the commencement of the official term of office, there were in the city 14 places where intoxicating liquor was sold; some of them the habitual resort of drunken, riotous, and disorderly persons...But one person has been convicted of drunkenness for the last four months; but two sent to the Watch House for the last six months. The law has been rigidly and quietly enforced."

The Marshall of AUGUSTA reports for 1852 as follows:—

"AUGUSTA had *four* wholesale stores, business worth \$200,000 a year;—Retail-shops, 25. The City was (officially) *exempted* from the New Law for 60 days: one dealer made a profit of \$900. As soon as the 60 days were out, three of the wholesale dealers sent off their liquors to New York. The remaining firm persisted in selling, until about \$1000 worth of their liquors were seized. Liquor *may* be sold at the principal hotels, but stealthily: one of the Keepers has been twice convicted. The police *use* to be called-up 100 nights in a year. *Since the passage of the law they have not been summoned once.*"

A gentleman well known to the philanthropic world, and who has several times visited the Western Hemisphere in the interests

of the Slave, writes us as follows:—"Near Chelmsford, 8th month 11th, 1856. Esteemed friend, Dr Lees. In the early part of the year 1854, whilst travelling in the State of Maine, we came to Augusta, its capital. We were driven through the city in a sledge, by our friend J. B. Lang, of Vassalboro', who, as we passed along, pointed out to us the City Gaol, *the windows of which were boarded up*. 'This,' he said to us, 'is owing to our Maine Law.' I think he remarked, 'It is empty now.' I remain, thy assured friend, JOHN CANDLER."

The Mayor of BANGOR, in his message to the Council, April 22nd, 1852, says:—"On the 1st July, when I gave notice that I should enforce the law, 108 persons were selling liquors here, openly; 20 of them have left the city. Of the remaining 88, not one sells openly." He furnished the following statistics:—

|                                                           |                |
|-----------------------------------------------------------|----------------|
| 1850-1. Inmates of Almshouse and House of Correction..... | 12,206         |
| 1851-2. Ditto ditto ditto .....                           | 9,193          |
|                                                           | <hr/>          |
|                                                           | Decrease 3,014 |
| 1850-1. Number of Public Prosecutions .....               | 101            |
| 1851-2. Ditto ditto .....                                 | 58             |
|                                                           | <hr/>          |
|                                                           | Decrease 43    |

How far the People of Maine were prepared to honor and enforce the law is best shown by their election of municipal boards: 117 towns elected Temperance men; 8 chose mixed boards; and but 34 elected opposition councils. The towns in favor represent a population of 254,891; those against, 55,565.

In 1855, as we have seen, the Prohibitionists in Maine lost the election of Governor. Nevertheless, there is no *reaction* of sentiment. On the contrary, the Prohibitionists obtained a larger vote than any single political party ever before obtained,—a vote larger by 4000 than the year previously, when they carried everything before them. As Bishop BURGESS had predicted, it was done by a political combination, and a profuse expenditure. The Dow-LAW has since been repealed, and stringent licence and pecuniary penalties substituted. THIS WAS ALL FOR THE BEST: making the enemies of Truth to illustrate it, once again, by the workings of error. Has this licence law succeeded in restraining that drinking which the *State of Maine* newspaper affirmed the Prohibitory Law had *increased*? That same vicious paper announced recently, with an air of patriotic triumph, that this repeal "will have an important influence on the molasses trade, and distilleries will soon spring up in the State." Other things, it seems, have 'sprung up' with the 'distilleries,' for the *Portland Journal* reports a vast increase of drunkenness, rows, burglaries, and other crime. The *Bangor Mercury* says:—"We are informed by a person in the express business, one who has good opportunities for seeing and knowing whereof he speaks,

that the quantity of liquors brought to this city, this season, is *tenfold greater than it was last year.*" The Calais *Advertiser* says:—" *We have seen more men reeling drunk through our streets the last three months, than we have seen before in the last three years!*"

§ 150. Southward, we pass to MASSACHUSETTS, regretting that want of space compels us to abridge. The Hon. H. W. BISHOP, Judge of the Court of Common Pleas, says:—" The violations of the law itself add to the criminal business. The operation of this new law has diminished the other class **VERY MUCH**. Crimes of personal violence have hitherto constituted *two-thirds* of all our criminal business. Several years will pass before the Courts are satisfied as to the bearing of this new law."

The Rev. Mr SEELEY, of Springfield, says:—" Its beneficial effects are very remarkable. It evidently made a very great change in the moral state of the entire city. Its effects are very marked upon our young men. *Our Lyceum lectures were never half so well attended.*"

Mr CHAPMAN, Counsellor at Law, says:—" There is not the one hundredth part of the drinking in Springfield that there was before the temperance movement commenced. Even those who, in their own families, use their wine, give their influence in favor of the Maine Law. Assaults were almost always committed under the influence of drink, and already that *class of crimes has nearly ceased.* Legal and moral agencies should be combined. They are like the Soul and Body; and cannot act well separately." Mr MORTON, Police Justice, says:—" The law has not yet had a fair trial with us. It is a fact that the city is *much more quiet* than it used to be. The police books will give no correct information at present in regard to *drunkenness*, because persons now seen intoxicated are arrested, *which was not the case before*, and persons now *sell* in violation of the law. In this way the criminal business *appears* to have increased, but as the other class of offences which formerly constituted the chief business of the Police Court, *has almost entirely disappeared*, THIS NEW CLASS WILL SOON BE WORKED OUT. It is a certain fact, that nearly all the 45 cases brought before me during the past month, January, 1855, have been *under the new law.*"

In January, 1856, an address of the Temperance State Convention announced that "the law has evidently driven the open liquor trade out of three-fourths of the State. There has been a decrease of 50 criminals in the State Prison."

In WORCESTER, the number of commitments for drunkenness, from June to September, was 64 less than in the same months in 1852; 106 less than the same in 1850.

The Marshall of SALEM reports of the law:—" There is a decided improvement in the moral condition of the poorer classes of the community, as the reduced number in the Alms-houses would indicate. There are fewer persons in the Salem Alms-houses now, than there have been for eight or ten years past."

In various parts of the State, there have been held musters, cattle-shows, public-celebrations, at which the peace and order have surprized all spectators, and opened a new era in the history of such assemblages. The diminution of arrests for drunkenness was 77 per cent. If there has since been a relapse, it is from no defect in the law; *it was enforced long enough to show its power.*

In the city of LOWELL, according to the Hon. Mr HUNTINGDON, the Mayor, for the two months ending September 22nd, 1851, there were committed to the watch-house 110 in a state of drunkenness; there were besides, reported as being *seen drunk*, not arrested, 390; total, 500. In the corresponding period of the next year, when the Law came in force, there were committed to the watch-house for drunkenness, 70; reported as seen drunk, but not arrested, 110; total, 180; *diminution*, 320. The amount of drunkenness for the month ending October 22nd, 1852, was 67 per cent. less than the corresponding months of the previous year.

Mr D. W. ALFORD, of Greenfield, says:—“A year ago there were from 20 to 30 grog shops: I don’t think there is *one* now. *The law has been a blessing beyond anything we ever had.* I was (before) afraid to send my own child, a boy of 10, into the streets unprotected, a year ago. Now, females are perfectly safe.”

Dr J. W. STONE, one of the representatives for Boston, says:

“From the best evidence I can gather, concerning the influence of unaided moral measures, the average effect of pledges is, that 50 per cent. adhere for a single year, 33 for five years, and 25 per cent. *permanently*.... I looked upon the Law, when first enacted in our sister State, with some suspicion. It is one of the peculiarities of this law, whatever theories drawing a different conclusion we might in advance apply to it, that, *where it has been most efficiently executed, there the greatest results in the suppression of crime has been most satisfactorily achieved*; and it has seized with such strong hold on the hearts of the people, that its popularity has in those places become invincible.”

§ 151. Proceed we next to CONNECTICUT: First, of HARTFORD, Mr H. Y. PHELPS, says (February, 1855):—“The fighting and rioting before so common, have entirely disappeared. Open drinking is stopt.” Rev. Dr CLARKE says:—“The general effects of the law are good. *Very apparent in connexion with our City Mission.*” Chief-Judge WILLIAMS says:—“There *are* more prosecutions for drunkenness. [The fact is,] under the old law, persons drunk were payed no notice to. The practice was growing very bad. Since the 1st of August, 1854, I have not seen more than one or two instances of intemperance in the streets. Several parties have formed clubs, and get their liquors from New York.” Judge BULKELEY says:—“There is *much less* drunkenness, *much less* liquor sold now. It is not sold openly at all, but is driven into secret places. The number of *misdemeanors* is far less.” Mr B. MANN, Counsellor-at-Law, says:—“I have been Police Justice here for 20 years, and *I know a very great difference*

since the law went into effect. The parties brought before the Court will average 8 out of 10 Irish." Mr L. S. COWLES, says:—"I have seen ten men drunk before this law passed, for one seen since. It was only when a drunken man was making some *assault*, that he was taken-up formerly." Mr D. HAWLEY, City Missionary, says:—"I have a Mission Sabbath School. Since the 1st August, it has increased one-third. I have seen in my rounds, wives, mothers, even young women, the worse for liquor—but all that has changed; and in my conversations with the poor, many of them say that the law must have come from Heaven—it is too good to have been framed by man." Mr J. W. BULL says:—"Property-holders take a deep interest in maintaining the law."

Of HARTFORD, containing 20,000 people, a resident says, he has not seen a single intoxicated person during the year!

The Hartford *Courant*, of December 21st, 1854, has the following:—

|                                                    |    |
|----------------------------------------------------|----|
| " July, 1853, Committals to Workhouse .....        | 16 |
| " July, 1854, ditto .....                          | 20 |
| " August, 1854, ditto .....                        | 8  |
| " August to December, Discharged from the House 23 |    |

"On September 9th, there was not a single male person in the Workhouse—which, except for two females, would have been *tenantless*. There has not been a parallel to this at any season, for eight years at least—how much longer we do not know; but we presume there never was. Is there a sane person who doubts for an instant what has caused this result?"

In MIDDLETOWN, Police expense was reduced by \$1,200. For year ending October, 1854, cost of paupers, \$2,218—for 1855, \$1,644. Vagrancy lessened.

Rev. J. C. DICKERSON, of PLAINVILLE, says:—"No open sale. Expenses of town poor considerably diminished."

Mr FREEMAN, of HADDAM village, says:—"Paupers reduced from 10 to 4. Quite an improvement in the sale of necessary articles of life." Mr DAY, of EAST HADDAM, says:—"Drunkenness diminished decidedly. Persons in Almshouse, previously, 24; now 16. No person sent to jail since the law enacted," six months before.

Dr F. FARNSWORTH, of NORWICH, under date of January, 1856, says:—"The amount of disease in poor families, is not one tenth what it was; Casualties are largely diminished."

The *Norwich Examiner* gives the following statistics:—

| (August 1 to July 31.)              | 1853-4. | 1854-5. | Decrease. |
|-------------------------------------|---------|---------|-----------|
| Sent to NORWICH Alms House .....    | 61      | 40      | 21        |
| Sent to NEW LONDON County Gaol..... | 220     | 127     | 93        |

Of the 220 cases, 73 were for drunkenness, and 4 for selling; of the 127 cases, 35 were for drunkenness, 2 for getting liquor

under false pretences, and 16 for selling : and these cases must obviously, under the continued operation of the law, grow

"Small by degrees, and beautifully less."

*Number in gaol August 1st, 1855, 16.* Four times as many sellers have been committed the past year as during the previous year; but only half as many drunkards.

The *Home Journal*, of July 7th, 1855, says:—"The Maine Liquor Law has ruined the gaol business completely. The gaol at WYNDHAM is to be let for a boarding-house."

Mayor BROOKS, of BRIDGPORT, gives emphatic testimony in favor of the law, in his report to the Common Council. He says that when Mayor, three years ago, he was called up three nights out of five, throughout the entire year, to disperse brawling and noisy mobs. "During the past year, I have not been called upon in a single instance, by the watch at night, to suppress or disperse any assemblage of riotous persons. All this change I attribute to the working of the new Liquor Law. It is a rare sight to see a person drunk in our streets."

*Chambers' Edinburgh Journal*, January 20, 1855, cites as follows:—

"On the 1st of August, 1854, the law came into operation in Connecticut, and was carried out in a very stringent manner. A great change was visible immediately after, in NEWHAVEN, the capital. The noisy gangs of rowdies disappeared, and their midnight brawls ceased; our streets were quiet night and day; and the most violent opponents of the law said:—'If such are the effects of the law, we will oppose it no longer.' A few persons got intoxicated upon liquor from New York, and were promptly arrested, and fined \$20 and costs, which they paid or went to gaol. As to the Prisons and Alms-Houses in the various parts of the State, they are getting empty. A large number of our most desperate villains, who formerly kept grog-shops and gambling-houses, have emigrated, finding business so bad. Several who kept gambling saloons and disorderly houses, in defiance of law, declared that *neither one nor the other can be supported without liquor*, and have moved to New York, where they can continue their infamous business advantageously."

The *Puritan Recorder*, in the spring of 1856, contained a letter, from which we transcribe the following paragraph, showing how the law cherishes charitable feeling and forethought:—

"Another characteristic has marked the past winter. There was less complaint than usual on the part of the poor. *The attention was more awake on the subject*; more had been *contributed* and *done* to secure the relief needed. The poor more economically husbanded their own resources. The operation of the Maine-Law had sensibly counteracted the *sources* of want. These beneficial effects have been perceived to be increasing ever since the law began to take effect. Another fact tells with emphasis. It is the *marked diminution of fires*. Since August 1, 1854, the loss of property from this cause has been *fully one-half less*."

The testimony of the Rev. LEONARD BACON, D.D., Newhaven, will also be read with interest:—

"The operation of the law for one year is a matter of observation to the

inhabitants. Its effect in promoting peace, order, quiet, and general prosperity, no man can deny. *Never for twenty years has our city been so quiet and peaceful as under its action.* It is no longer simply a question of temperance, but a Governmental question—one of Legislative foresight and morality."

Rev. Dr KENNADY says:—"The law has produced the happiest result. A great improvement in *Sabbath School attendance.*"

His Excellency, Governor DUTTON, says:—"At the late State Agricultural Fair it was estimated that, on one day, from 20,000 to 30,000 persons of every condition of life were assembled, and *not a solitary drunkard was seen*—and not the slightest disturbance made. Criminal prosecutions are rapidly diminishing. The *home of the peaceful citizen was never before so secure.*"

§ 152. RHODE ISLAND comes next: where, however, various obstacles have been placed in the way of the enactment. Mr BARSTOW, the Mayor of Providence, says:—"After the law had been in operation *three months*, I published statistics, showing that the law, in that short time, had made a reduction of nearly 60 per cent in our monthly committals, while the number of insane Paupers in Butler's Hospital, was reduced one-fifth."

|      |                                                  | Decrease. |
|------|--------------------------------------------------|-----------|
| 1851 | <i>Commitmals to Watch House for drunkenness</i> |           |
|      | and assaults .....                               | 282 }     |
| 1852 | ," ..,                                           | 177 }     |
| 1851 | <i>Commitmals to County Gaol.</i>                | 161 }     |
| 1852 | ," ..,                                           | 99 }      |

The Hon. W. R. WATSON, Secretary of State, says:—

"Its effects, I cannot doubt, have been greatly to diminish crime, pauperism, misery, and that large and dark catalogue of moral, social, and physical evils which result from intemperance. The Sabbath is better observed—the attendance at public worship increased—and individual comfort and public prosperity promoted. It has had to work its way through all the technicalities of the imported English Common Law, and all the delays, quibbles, and subtleties of those whose business it is to interpose between violated laws and merited punishment."

§ 153. In VERMONT the law has been still more successful.

In July, 1853, Mr L. Underwood, States' Attorney of Chittenden County, wrote from Burlington:—"The law has put an end to drunkenness and crime *almost entirely*. Within this town, from December 1st, 1852, until March 8th, 1853, complaints were made to me, almost daily, for breaches of the peace; and, on investigation, I was satisfied that nine-tenths of the crimes committed during that time were caused by drunkenness. *Since the 8th of March, two complaints only have been made for such offences*, and only one was caused by drunkenness. The law is more popular now than when first enacted."

Mr M. L. CHURCH, says (February, 1855):—"I am very much pleased with the law. You might stay here for a month, and you would not see a drunken man in the city."

"The Grand Jury," says Mr J. L. ADAMS, the County Clerk, "not composed of friends of the law, in their last report say:—

‘We feel highly gratified to find *the Gaol destitute of Inmates*—‘a circumstance attributable, in a very great measure, we believe, ‘to the suppression of the sale of intoxicating liquors.’ Everywhere the law is popular, in proportion as it is carried out.”

Professor PLEASE, of Burlington University, says:—“There is a very great diminution in the use of liquors by the students. We have not had, for a year past, any rowdyism.”

§ 154. Nor must we forget the last of the New England States that has adopted the Prohibitory Law—New Hampshire—which has been so long the ‘grog-shop’ for the ‘thirsty souls’ of the bordering States.

In March, 1856, the *Journal* announces that “the Law works admirably in all parts of the State. *Pauperism and Crime are almost unknown.*”

In June, Rev. E. W. JACKSON, writes:—“The Law is accomplishing all that the most sanguine of us expected.”

R. R. BROWN, hotel-keeper at CARTHAGE, New York, says that by abolishing the liquor bar, he is brought in contact with a better class of customers, and all the duties and associations of his business are improved to a degree which affords him a four-fold compensation for the ‘unprofitable profits’ which arose from vending ‘the drink of the drunkard.’

The *Tribune*, INDIANA, publishes the following, in April, 1856. Committed to Penitentiary, 5 months preceding June, 1855, when the law went into effect, 83. Committed during 7 months after, 51—a reduction of 50 per cent. Since the law was annulled by the Court, drinking and gambling have held carnival. The annual Report of the Indiana Hospital for the Insane, out of 910 cases, assigns 59 cases as follows:—Intemperance 28; Dissipation 9; Abuse from Drunken husbands, 15; Mania a potu, 7. Each inmate, says the *Indianapolis Gazette*, costs \$125 a year: so that, for the storage and care of this one item of the Rumsellers’ harvest, we pay \$6125 annually.

IOWA. From this young, but rapidly rising State, a letter from the State’s Attorney, says:—

“*The Prohibitory Law in this State is doing considerable good. It works well. If vigorously carried out it will effect more than all the moral-reform lectures that can be mustered into the service.*”

Under a knowledge of such facts as we have detailed, can we wonder at the recent expression of the Rev. JOHN D. LAWYER, chaplain to the New York State Prison, at Auburn?—“Give us the Maine-Law, and in five years Auburn Prison is no more.”

How striking is the remark of the Canadian Commission, Messrs URE and FAREWELL, after their tour through New England and New York:—“We saw more drinking in the City ‘Hotel, in Hamilton, in the space of seven minutes, one morning ‘before eight o’clock, than we had seen in all our perambulations through the seven States.”

## III.

§ 155. In Oriental countries, where, from the peculiar genius of the people, the laws of Religion and of the State have, to a great extent, been incorporated together, we find the principle of Prohibition has been enforced for thousands of years with complete success. Illustrations of this fact may be found elsewhere.\* Above a century ago, the amiable and reflective Hindoos protested against the Traffic being carried by Europeans into their country, in opposition to their religious and civil institutions; as, more recently, the Chinese have protested against the kindred Traffic in Opium. But, alas! the government of Mammon has ever a terrible deafness of heart. We have lying before us, of the date of 1851, a Memorial addressed to the Governor and President in Council, at Bombay, from the inhabitants of the DECCAN,—sirdars, gentry, bankers, agriculturists, and various castes and classes,—which humbly showeth:—

"1st. That the use of strong liquors is utterly condemned by the Religion of this country, and that all Traffic in them was by Native Governments PROHIBITED—and intemperance consequently unknown.

"2nd. That the Manufacture and the Sale of such liquors was regarded as fit only for persons of the most degraded caste; and those were *obliged to engage in it in an underhand manner*—a state of things that tended greatly to public order.

"3rd. That the original motive for licensing the sale of Spirit by the present Government was no doubt to *discourage their use*, by rendering them dear: but the popular inclination to evil being too strong to find a check in such a measure, *intemperance had begun extensively to prevail*.

"4th. *The number of liquor shops is rapidly augmenting*, and with the increased use of spirits, the disgrace attached to intoxication becomes less and less, and a once powerful moral restraint is removed. The people suffer in body and mind,—their families go to ruin,—they fall from caste and become reprobates, and their increasing misery is manifest.

"5th. *Government should certainly take measures to check a vice so detrimental to Society*, and so hostile to Religion—abandon its monopoly, and renounce the revenue derived from this source.

"6th. Let Government settle it by law, that no native be permitted to open a liquor-shop under severe penalties. In this way, *the general welfare of the community will be placed on its former happy footing*, and one great cause of penury removed.

"7th. Finally, as the evil is on the increase, an *immediate remedy* can be applied more easily than at any future period, since, with the spread of intemperance, immorality and irreligion will naturally become more prevalent. *And your*, etc.

Here we have facts and principles clearly stated, in harmony with our own. The *Times*, in its review of the Alliance First Report, sneered at a reference to the principle of Prohibition as sanctioned by some barbarous African tribes, and by several rulers in the Islands of Polynesia. If we wondered at anything in the *Times*, we should wonder why it did not, at the same

\* 'Ancient Teetotalism.' *Works of Dr. Lees.* Vol. ii. pp. 1—16.

time, sneer at *sobriety* itself as a 'Barbarian Virtue',—repudiate together the prohibition of drink and 'dice', on the ground of their having been long since prohibited by Mohamet—and denounce the Government of this country for prohibiting the sale of liquor at the Australian diggings, at the Crimean camp, and to the natives of New Zealand! For our part, we are humiliated at the spectacle of Pagan populations, by millions, illustrating the superiority of their Temperance to the professed Christians that dwell amongst them—as well as their superiority to our nation at home. We quite concur in the language of Lord HERVEY, in 1743, that "we may be sent with justice to learn from the rude and ignorant Indians, the first elements of civil wisdom"—(p. 84.)

§ 156. But even among British peoples and British legislation prohibition has been received with favor, and in some cases adopted. It would be unreasonable to expect that the fervor of enthusiasm which has pervaded the American States, should be altogether unable to vivify the cold and lethargic population on the other side of the American boundary.

In CANADA the agitation on behalf of the Maine Law has been carried on with varying success, but with substantial progress. After long effort, the temperance men of this province succeeded in turning the attention of their legislature to the traffic in strong drink, and, as a result, a prohibitory law was adopted in 1855, by their legislative assembly, the vote being 51 to 29.

On its further passage the bill was obstructed in every way, and at last was thrown over on a technical objection taken to some omission of the forms of the House. This, instead of discouraging, increased the ardor of the friends of the bill, and their exertions were redoubled. Petitions were poured in during the next session. The petitions presented in favor of the law were signed by 108,417, in proportion to every 4388 who signed against it. The petitions against the law emanated from the large cities and from those localities in which the influence of the traffic might be expected to be most powerful. Such an expression of public opinion could not be disregarded by the legislature of the province, and though the faith of some, who had undertaken to pilot the bill through the storms of the opposition, was shaken by the temporary disaster in Maine, and they deserted the helm at the most critical moment—the measure being again stranded in consequence—it was yet felt that indifference to the claims of popular feeling could no longer be assumed.

Special committees of enquiry were appointed by both the House of Assembly and the Legislative Council. Both committees reported the results of their investigation. That appointed by the Legislative Council recommended a licence law similar to that which replaced prohibition in Maine—a law which, defective in itself, would yet be an immense step in advance of any at present existing in Canada.

The Assembly committee, however, repudiated all such jejune and unsatisfactory conclusions, and report in favor of downright prohibition, declaring that "no legislative reform has been demanded with such unanimity."

It would appear that Upper Canada is retarded somewhat in this matter by the influence and weight of the lower division.

But though a Maine Law has not yet been adopted by its legislature—many landmarks have been erected to mark the progress which has been made. In 1853 the principles of the Maine Law were applied to localities in which public works were in progress, no licence being granted "to sell, barter, or dispose of any kind of intoxicating liquor within a distance of three miles of any public works declared to be in progress."

And in 1855, though defeated on the 'Maine' question, a new 'Municipal Act' enabled County Councils to free their districts from the traffic by their own ordinance.

Already this power has been put into force, and notwithstanding that, as we have stated, Upper Canada has shown more favor to prohibition, Lower Canada has, in nine County Councils, determined "to prevent, so far as in their power, the traffic in intoxicating liquors within their limits."

"There is no question," said Lord ELGIN, on his return to England from his Governor-Generalship of Canada, "on which I look with more interest than on the question of the Maine Law."

§ 157. In NOVA SCOTIA a Prohibitory liquor bill is steadily demanded from the legislature. In 1855 such a bill was introduced and carried through the House of Assembly, the second reading being passed by a vote of 29 to 19, the third without a division.

In the Legislative Council the measure was quietly shelved, by an order that the Bill, instead of passing, be printed and circulated. Thus the bill was, to use the language of the Nova Scotian press, "committed once more to the care of the country."

There it will revive, no doubt, like a giant refreshed with sleep, and will come back again with redoubled potency, and with victory on its crest.

In PRINCE EDWARD'S ISLAND, also, a Maine Law has been defeated only by narrow majorities.

§ 158. In NEW BRUNSWICK Prohibition has still further developed itself.

In consequence of the vigorous agitation kept up by the Temperance men of the province in 1853, a law was adopted which prohibited the sale of spirits, but allowed the licence for other intoxicants. As might be expected, from the considerations laid down in this essay, a measure so partial failed in obtaining a satisfactory result, and it was repealed in 1854. From the first, this measure had been unsatisfactory to the friends of prohibition—it was an insidious triumph—and it was hoped by the

liquor interest, that its expected failure might retard the coming struggle.

But it was not so. The failure of the law of 1853 did not disgust the people of New Brunswick with legislation, but it made them resolved that their future legislation should be sound. At the next election a strong Temperance house was returned, and the most earnest and zealous of that party became members of the government. Mr S. L. TILLEY—who was an official member of the United Kingdom Alliance, and one of the recognized leaders of the movement in New Brunswick, became provincial chief secretary.

Nothing could be more emphatic than the decision of public opinion at this election. There could be no doubt as to the course which would be taken by the Legislature.

Accordingly, in 1855, a law was passed “totally prohibiting the manufacture, sale, and importation of all intoxicating drinks.” This law was declared to go into operation on January 1st, 1856, and in the mean time the bill was sent to this country for ratification by the Home Government. The bill was accompanied by a despatch, containing 39 elaborate paragraphs intended to dissuade the Government in England from recommending Her Majesty to sanction the measure.

In the mean time, also, every device which could be suggested to the opponents of the bill was adopted, in order to conduce to the same end. But in vain. The bill was referred to a committee of the Privy Council, and upon their report ordered to go into effect and operation as fixed and declared.

This roused the determined ire of the opponents of the measure. Every effort was made to defeat the operation of the law. Mobs were organized, and disturbances attempted, but the efforts of the trade only stimulated the enthusiasm of the upholders of the bill. Mass meetings, in favor of prohibition, were held with triumphant success, and energetic steps were taken to enforce the law. During the first 20 days of January, 1856, notwithstanding all difficulties, the intemperance of the city of St John was reduced 80 per cent.

The Houses of Legislature were next attempted. A motion to dissolve the House and appeal to the people, while excited, under the struggle of baffled appetite, was negative by an emphatic vote of 29 to 11, and the law sustained. At last a willing hand was found to deal a blow at the law. The Lieutenant-Governor, by no means satisfied with the checks and restraints of constitutional authority, and preferring the easy path of irresponsible government, had never pleasantly or cordially acted with his governmental council. He saw in the excited state of public feeling an opportunity to get rid of them, and to supply their places with more subservient politicians. He urged them to resign. They declined, *having the confidence of the House.* He insisted on a dissolution. They declined to take the respon-

sibility of such a step for many reasons—the delay in public works, the excitement and expense, and above all the fact “that an election at that time would not for many reasons indicate the true state of the public mind on the subject of the prohibitory law ;”—that a dissolution would protract the agitation of the public mind, and that if a failure, the law would be repealed by the House as it then stood.

Thereupon His Excellency plunged into the depths of despotism. *On his own responsibility* he dissolved the Assembly. The Ministry resigned, disavowing responsibility, and then, with a new Ministry, the Lieutenant-Governor precipitated an election.

The stratagem was successful. Complicated with financial misrepresentation, and subjected to all the power of a well organized and unscrupulous opposition, the Temperance party suffered a defeat.

The elections resulted in a House composed of the Governor's supporters, and the Liquor Law was repealed by a large majority. The Province was again placed under a strict system of license.

The Prohibitory Law of New Brunswick fell, not from its own failure, but as associated with responsible and liberal government, under the pressure of a prerogative never before exercised in the Colonies since the recognition of their independent constitution, and which has not been asserted in this country since the disastrous days of the Stuarts.

The curtain has not yet risen on the next act of the drama.

## CHAPTER VIII.

“THAT, RISING ABOVE CLASS, SECTARIAN OR PARTY CONSIDERATIONS, ALL GOOD CITIZENS SHOULD COMBINE TO PROCURE AN ENACTMENT PROHIBITING THE SALE OF INTOXICATING BEVERAGES, AS AFFORDING MOST EFFICIENT AID IN REMOVING THE APPALING EVIL OF INTEMPERANCE.

§ 159. “Drunkenness,” says the *Westminster Review*, “is the curse of England—a curse so great that it far eclipses every other calamity under which we suffer. It is impossible to exaggerate the evils of Drunkenness.” The difficulty, indeed, is to paint it in colors sufficiently vivid to produce any adequate impression. And to ‘Drunkenness’ must be added Excitement, the complement of Intemperance. “Boundless Intemperance in Nature is a tyranny”—more wasting in its ravages, more terrible in its results, more untiring in its destruction, than either famine, pestilence, or war. *They* have their seasons of repose, but *this* gives no respite, for its dread machinery works night and day, and multiplies with each succeeding age. Intemperance not only involves a sinful waste in its very being, but is the teeming *source* of want and waste—it is at once a pest, and the preparer for every other—it is itself a war, with health, beauty, and truth—an intestine war, in which the evil always conquers.

“Tis the Carnival of Death,  
“Tis the Vintage of the Grave.

There is about the Drinking System a prodigality of mischief—a seduction, a virulence, and a fermenting fecundity in the *reproduction* of vice, which is without a parallel. Yet—strange historic comment on the old wisdom which declares that *Wine is a mocker!*—though of all earthly curses most to be feared, it has of all been most fondled. The Nation has taken the Serpent to its bosom, and warmed it into life, until it has stung us to the heart. To change the figure, the fabled Upas of the East, loading with its heavy and fatal exhalations that plain of death, is an appropriate type of this Liquor Traffic. It is the legal Upas which spreads its leprous distillations and dews of death throughout the land, in whose pestilential atmosphere virtue must wither and Patriotism decay.

"Something must be done," says the *Times*; but, as usual, waits for the time to declare *what*. It can initiate nothing beyond a subscription—or a commissioner. It stops with the complaint—but is innocent of all medicinal cure. The Alliance, then, will tell the *Times*. The cause must be eradicated. We can have no rational hope from the modification of a system essentially bad. And one uniform testimony comes down from the past, establishing the inveterately mischievous character of the Drink Trade.

The Tavern, as an old *History of the Waldenses*, of the date of 1658, quaintly declares, "is a fountain of sin, and a School of the 'Devil, where he worketh his miracles after his own manner... "The lessons which are learned in his school, are drunkenness, "swearing, lying, perjury, blasphemy, to deny God, and commit "many other sins. This is the place where, *for the most part*, "are raised all quarrels, slanders, contentions, and murders; "and those who keep the Taverns, and suffer this, are *partakers* "of all the sins and evils there committed... And therefore it is "said in Ecclesiastes, that *He that keepeth a Tavern shall not be "held guiltless.*"—DE FOE, some years later, designates the Taverns as the *Devil's Chapel*; of which, by implication, the Publican is the Licensed Chaplain!—Dr GOLDSMITH said, in the last century, "Ale-houses are *ever* an occasion of debauchery and excess": and DR SOUTHEY has declared in this, that "for the laboring man, the ale-house is now a place of pure, unmixed evil," and that "the diminution of these houses is *one of the most practical and efficient means of real radical reform.*"\*

In a sermon, preached at Huntingdon, in 1827, on the murder of a Clergyman, aged 80, by a youth aged 18, the preacher thus refers to the circumstances of the tragedy:—

"It appears from the trial of the unhappy youth, SLADE, that he and others were drinking at the ale-house till past the midnight hour. [SLADE had confessed—'I went direct from the Swan Public House at a quarter past two, and got over the garden wall. I was then *fresh.*'] Were Magistrates and others even occasionally to visit these haunts of iniquity, they might prevent the unseasonable hours, and the midnight revels, that too commonly prevail; they might frequently prevent some hours' amount of oaths and licentiousness, and plans of mischief and theft, the result generally of the last hours of the evening. We do not mean to insinuate that *all* houses of public accommodation are of this pestilential character; there are *some* happy

\* *Essays*, vol. ii. p. 116—120. He notes a proper distinction:—"As the establishment of *Inns* is one of the surest proofs and accompaniments of increasing civilization, so the multiplication of *Ale-houses* is not less surely the effect, and the cause, of an increased and increasing depravity of manners. It may be affirmed broadly, and without qualification, that every public-house in the country which is not required for the convenience of travellers, wayfarers, and persons frequenting a market, is a seminary for idleness, misery, and pauperism."

exceptions, where *comparative* peace and order dwell, and where the doors are closed at a reasonable hour. But that there are others of a contrary character, need not to be proved; and that a considerable portion of public wickedness may be traced to these is obvious to all thinking and observing men... *From these hot-beds of vice, men become heroes in crime...* Here, undisturbed, our youths are matured into drunkards, and thieves, and murderers. It is impossible to calculate the number of vices which here take deep root, and spring up, and scatter their deadly seed over the whole surface of society."

We have already recorded the deliberate judgment of the Parliament, assembled in 1757, that the consequences of the Traffic "might be deemed the greatest evils incident to a well-regulated commonwealth" (§ 69), and hence the express purpose of society challenges its suppression. The Hon. and Rev. S. G. OSBORNE has a wise word on this point, in his paper on 'Immortal Sewerage.' After visiting some of the deep dirt-pools of social life, which after all are but the dregs and drainage of the Public-houses, he says:—"We both had heard enough of great Sanitary Commissions, etc. Had either of us ever read or heard of one NATIONAL ATTEMPT to deal with such matter? I shall be told of Ragged Schools, Reformatories, and Penitentiaries; far be it from me to take from the credit due to these institutions; but they, after all, only touch a very small portion of the evil, and though they have done much, each in its own way, all they have done is as a mere drop to the ocean of sin which yet ebbs and flows unassailed. THE GREAT POINT OF ATTACK SHOULD BE THE FEEDING SOURCES OF THESE PLACES."—Exactly so! The *National* attempt is now inaugurated—the Allies are being organized;—we have traced the evils to their source and head—mapped out the campaign—and are now preparing to attack the 'Feeding Sources'—*the Traffic*.

§ 160. History and the practical experience of our own day meet on this point. What says Mr VANDERKISTE, after *A six years' Mission among the Dens of London*.—"We may build churches and chapels, and multiply schools, but until the drunken habits of the lower orders are changed, we shall never act upon them as we would wish. While the pot-house is their church, gin their sacrament, and the taproom their schoolroom for evening classes, how can we adequately act upon them for the conversion of their souls?"

What says the Rev. WALTER IRVINE, a Clergyman of Newcastle, in reference to the Traffic? "They might build schools; but until this system was suppressed, seeds of iniquity would continue to be sown, which would manifest their growth in future generations."

Hear the admission of an opponent:—"Schools, churches,

"clubs, reading rooms, libraries, are *robbed of half their good fruits by the passion for stimulants*, which stifles the love of wisdom, of piety, and duty."\*

Similar is the testimony of an observant author, in the following dialogue :—

Mr SINGLETON: "If I am to be a faithful counsellor, I must not shrink from reminding you of what will ever be the *grand stumbling block to all genuine amendment*, here or elsewhere,—of an evil that will undo all the good accomplished, wherever it exists. You may build churches, endow schools, preach to the poor, visit, feed, clothe, and educate them—devote your whole life to their interests ; and yet, *so long as there is an Inn in the place*, it will be of no avail. The *Public-house*, wherever there is one, will demoralize the population, and leave scarcely a vestige of your work. Have you thought of this ?"

LADY UNA: "I have thought of this ; for it is my belief, as well as yours, that *no reform, anywhere*, can be available, independently of the character of the Inn and Innkeeper of the district."

Mr SINGLETON: "Alas ! the *whole system* is against the most respectable Innkeeper in the world. Unless Public Houses can be *eradicated*, no effectual reform can be carried out."†

We have a better way : to eradicate that which *alone* makes the House evil—the one thing which disturbs—*Alcohol*.

The Public *drinking House*, licensed by law, is the acknowledged, unchangeable enemy of social progress and national prosperity. Why longer pursue our Penelopean policy of Licence, ravelling with the one hand what we inweave with the other ? Why hesitate or tarry in a work of such paramount necessity. Since no one *denies* that there is "something rotten in the *State*" of Britain, let us decide that

"What comfort to this great decay may come,  
Shall be applied."

Dr COULTER, in a work detailing his adventures in a *Sail* over the Pacific, narrates a curious history of one TERENCE CONNELL, an Irish convict, escaped from Australia. He had become the chief of a tribe of Horroforas, in New Guinea. After rendering some service to an exploring party, he made a farewell visit on board ship. Asked by the Captain, whether he would take Brandy or Wine, TERRY replied in these remarkable words :—

"No, thankee, sir. It's long since I tasted the likes, and it "might bother me. I often had a notion of making a drop here "for myself, out of thin sugar canes growing wild along the "banks of the river ; but yeez see, if I did, the rest of the tribe "might larn the thrade, and thin a purty sight I'd have to dale "with ! And I said to myself, I'll do no such thing ; they're

\* *Westminster Review*, liv. p. 403.

† *Lady Una and her Queendom*. London, 1854, pp. 247, 250.

" wild and mad enough without that. And that's the razon, " Captain, I teks none myself." Is there not here a lesson of forbearance which we may well take to heart? Does not the self-denial of this ruler of a savage tribe shame our own sybarite indulgence? Half the wisdom, even without the personal abstinence of this poor man, would save the nation from its 'greatest curse.'

§ 161. Putting out of sight a few theorists 'conscientiously' opposed to a Prohibitory Law—a sort of political 'Children of the Mist'—this question may be viewed as an unerring practical test of patriotism. We may predicate of it, indeed, what Mr PLUNKET said of the abolition of Lotteries—that it is very much a matter of MORAL FEELING—of *more or less, or none*—and the Patriometer has its three corresponding marks—*maximum, minimum, and zero*. Mr J. WEYLLAND, in his evidence before the Select Committee,\* admirably hit off the negative class. "There 'are,' says he, "a great many men without any religion whatever, and they say, 'We want our beer fresh on Sunday; ' in fact, they would not perhaps care if half the world was drunk, 'provided they could have a good head to their beer on Sunday.' These may be called, with literal truth, our 'frothy patriots.' The *minimum* class has higher representatives, to wit, *the Times*. With them the motive is couched and concealed under the wider and more plastic phrase—'Public Convenience.' *The Times* admits that the giant and 'countless' evils of the Traffic *may* be destroyed by "the absolutism of a Maine-Law;" but then—the 'Public Convenience' and the 'head of beer.' We point to three-fourths of the calamities and crimes of the nation, and say—Here is the cure—just stop the open Traffic in Britain, as the people *have* stopped it in a dozen of the American States—and the *Times* reiterates 'Public Convenience'!—which, being interpreted, means the Tippler's Convenience to tipple.

WHAT WILL IT COST?—asks the *Times*. The price, of course, must be paid. What is got for nothing, says the proverb, is nothing worth. But what is the cost? simply this—the sacrifice of the ready convenience of purchasing a Pot of Beer, or Pint of Wine, at the next turning;—or, at the worst, the exchange of a Pot of Barclay's adulterated, for a Pot of genuine Home-brewed. Now, this price paid, how stands the Balance Sheet of the Nation?

DRUNKENNESS is exchanged for SOBRIETY :

|                |     |                      |
|----------------|-----|----------------------|
| DISEASE        | for | HEALTH :             |
| POVERTY        | for | WEALTH :             |
| INSANITY       | for | SELF-CONTROL :       |
| IGNORANCE      | for | KNOWLEDGE :          |
| RIOT AND CRIME | for | ORDER, AND PROGRESS. |

Could we have a cheaper tax, to achieve a grander amelioration?

\* 2nd Report on Public-Houses, 1854. Page 5.

Look over the items once more ! *Side by side with the Traffic*—for *that* is the practical alternative—stand Poverty, Brutality, and Domestic degradation ; Crime, Ignorance, and Disease ; and heaped around as spoils, are defeated Sanitary Measures, and frustrated Political rights, and fragments of Philanthropic plans ; beyond, clouds and darkness. But *side by side with PROHIBITION*, what have we ? Health and Wealth, Social Order and Domestic Concord, Art and Knowledge, directed by noble aims and hopeful endeavors towards the illuminated pathway of the Future. He who has the ‘more’ of feeling, can scarcely hesitate.

§ 162. The patriotic *Electors* of this country—the admirers and guardians of the Constitutional freedom of the British Empire—themselves the trustees of a great interest, to whom Providence has assigned the duty of broadening down the basis of that Freedom—should emphatically appreciate the merits and mission of the Alliance. What ‘interest’ so extensively corrupts the fountain of political power ? What system so debases the exercise of the franchise ? What organization so endangers the prospects of political amelioration as the Traffic ? Let disgraced HULL and disfranchised ST ALBANS declare ! The Traffic, in the first place, by degrading and pauperizing our people, *liquidates* the suffrage in tens of thousands of cases ; in the second, *depraves* the exercise of it in those who wield it ; and, in the third place, *domineers*, with a mean and selfish tyranny, over the community that would use it freely. A Blackburn Brewer, not long ago, vaunted that he could buy up half the votes of that town by dispensing a pot of beer to each elector ! We hope and believe that he is grossly mistaken in his infamous boast ; but, certainly, in many towns, the influence of the Traffic is enough to defeat both good men and great measures. Do we, then, object to Publicans having votes for the election of Members of Parliament, Poor-law Guardians, and Municipal Councillors ? *Unquestionably*—so long as they are also Drink-dispensers. On what ground ? The same ground which induces the Lord Chancellor to reject the nomination of Brewers and Publicans to the Commission of the Peace—because they have a direct trade interest *opposed* to that of the community, they are ‘professionally’ concerned in disturbing the peace—because, as Magistrates, they would have to sit in judgment upon their own acts, or that of their ‘creatures’ in tied houses and others—and because in Brewster Sessions they would be subject to the warping of self-interest in granting or denying licences. If a Publican *could* vote on mere economical or political principles—we should readily accord to him the privilege, whether tory, whig, or radical. But this is just impossible : for the Craft avows that political principle must be subordinated to private profit. A Mr Cook, one of the leaders of the Licensed Victuallers, and an ex-Publican, at a meeting of the body at

Gateshead, so late as April 22nd, 1856,\* thus announces the programme of an organization extending from York to Berwick :—

“To see that a member was not foisted on the electors who had no *community of feeling with the Trade*.”

“The Trade of the kingdom would *first* look to their *own private interest*, and

“*Then* to the *general interests* of Society.

“At the last meeting, they gave instructions to the committee to use every *justifiable means* in promoting the interests of the body, by placing members of the trade in stations of honor and trust—as councillors, poor-law guardians, overseers, etc.”

At the Annual Delegate Meeting (1856) of the Licensed Victuallers’ Defence League, held at Birmingham, the *Report* displayed no reticence in this matter.

“There watchword should be, firstly, *Their own Trade Interests*, and to *KNOW NO OTHER POLITICS* than to ensure ‘the right man in the right place.’” [That is, to secure their own creature.]

With principles more befitting Pirates than Citizens, held by men who muster *one-fifth* of the borough-votes, such an organization is dangerous, if not watched, as it *must* be. It is well to know, however, the maxims of our opponents. Their candour exceeds their conscience; for what *can* be more immoral and nefarious than these avowed intentions? The Community to be sacrificed to the Craft! The moral law is inverted, and the social pyramid is placed upon its apex, instead of its base! The motto emblazoned upon the banners of Boniface would overturn all government but that of an alcoholic ochlocracy. “General Good must wait on Private Gain.” But even worse is meant than expressed by this maxim. It is no question of mere *waiting*—to be served at last: since to *look first* at the private interest, is, in this case, to *supersede* for ever the public good. The general interest can never be a *supplement* to the interest of a Traffic which creates poverty, degradation, and disorder. The first part of the Trader’s creed, therefore, frustrates the professed object of the second: for, to establish the prosperity of the Publican is to subvert that of the Public. With such intentions of utter selfishness, and such a maxim for justifying the means, the Publicans seek to supplant our independent and patriotic men—to control the official machinery of society—to fill our general and municipal councils with their tools and nominees—and to make the entire apparatus of government, subservient to sustaining *their* pernicious privileges, and instrumental in taxing the community for the support of *their* paupers, *their* lunatics, and *their*

\* The *Sun*, of July 17, 1856, reporting the Anniversary Dinner of the London Licensed Victuallers, at Cremorne Gardens, says; “John Walker, Esq., took the chair, and he did his best to carry on the proceedings of the evening with due effect, but owing to the hilarity of the company at a very early period of the evening, ‘the speeches were delivered in inexplicable dumb show.’”

criminals ! \* The tide of patriotism may rise—but no higher than the pockets of the Publican ! Everybody, people and parliament, must ‘stand and deliver’ at their command, and be coerced into consulting the supreme interest of the Liquor Trade ! ‘The free and independent electors’ of Britain will assuredly repudiate so mean a standard of Patriotism, and spurn, as it deserves, so monstrous and disgusting an attempt at dictation. When this miserable fraction of a People, only tolerated by magisterial suffrage, wearing the badge and livery of a craft, and which is ‘bound-over’ from year to year,—when such a body announces that the interest of **NUMBER ONE** is a microscopic and immediate *necessity*, but the welfare of an entire **COMMUNITY** a telescopic and conditional *convenience*—it can scarcely complain if the said community whose rights are so cavalierly treated by this privileged rump, and whose welfare is so coolly postponed to a more convenient season, should, some-day-soon, withdraw a privilege and abate a nuisance. This is an age in which old party distinctions have faded into the past, and the politically dead are left to bury their dead. Party-politics are rapidly vanishing with class-legislation, and the bonds of a common duty and enlightenment are uniting the best and wisest of all parties into one National Union. But what **CLASS LEGISLATION** can match in impudence, or exceed in wickedness, that of a System which is avowedly based upon selfishness, built up by the vices, and cemented by the sufferings of the people ? We have not, however, the slightest fear of this faction. Ere long, an extension of the franchise will swamp them utterly ; and even now the registered members of the Alliance in several Boroughs can outvote them, three to one. An intelligent friend of ours, in conversation with one of the Members of his Borough, whose support of the Alliance Bazaar he had solicited, was told that 70 Landlords would vote against him, were he to *declare* his sympathies in that direction. “Well,” quietly responded our friend, “we have 200 Alliance men already entered upon the Parliamentary register.” A handsome contribution was the significant response.

§ 163. The poor *Publican*, however, regarded as *Man*, should equally with us pray to be delivered from the temptations of his dreadful calling—delivered, we say, *from his trade*, since the

\* Facts best interpret phrases. In the Scotch Publican’s Circular Letter, detailing their deputation’s visit in June, 1856, to the ‘Parliament Men’ in London, to get the Law repealed, which, they say, has not stopped, or materially diminished, drinking!—they tell how very ‘serviceable’ Mr COBBETT was ; how they contrived to make Mr DUNCAN, of Dundee, to ‘change his mind completely’ ; how Sir JOSHUA WALMSLEY patted them on the back, and said, ‘Go on—don’t be afraid’ ; and how this friend of representation would, by *English votes coerce Scotch convictions*—“Go on,” says he, “we will soon get the question settled—**IF NEED BE, IN SPITE OF YOUR SCOTCH MEMBERS** ;”—while Messrs. SIMES, FOSTER, and WALLACE,—Oh, desecrated name!—“were among the *few at the agitation last year who managed the work*.” For the honor of these ‘Honorable Gentlemen,’ we are willing to receive a flat contradiction of these statements :

temptations are in it. The returns of the Registrar General tell a fearful tale of shortened life ; but what is that compared to the searing and polluting influence of the traffic upon the soul ; and not only upon the Trafficker, but upon his wife, his sons, daughters, and dependents ? Go where we may, the same miserable story of debauch, disease, and death meets us. The frequent half-altered sign-board of the public-house—the master's name substituted by the widow's—is *glaringly* significant.\* Within sight of the room in which we write, such a sign is visible—the old name is obliterated, and the new one freshly emblazoned. *He* 'married' into the Traffic, strong and healthy, and within a few years his own liquors sent him to the grave—a wretched drunkard at 29. At the other extremity of the village is a similar Alehouse sign. The proprietor drank away his health, first puffing up his body and then making calfless his legs, and finally sank into the grave, a veritable sot, without one thought or feeling beyond the animal—dead in soul, years before his body died. While travelling in a stage-coach a little time back, we put to an interesting girl, one of the passengers, the question—Are you returning home ? "No," said a person accompanying her, "she is going to school ; for you see, Sir, her Father keeps a public-house, and home is no place for *her*, now."

A noble English proprietor of superior intelligence, once said to an observant writer :—" 'From my experience, I should say, 'there is *something contaminating* in the trade of the Publican. 'As surely as ever I have allowed a couple of *excellent servants* 'of *irreproachable character* to set up a public-house upon my 'estates, I have found that I had *consented to the moral ruin of* 'themselves and their families. Warnings of their moral 'danger have had no effect in preventing the fatal results.' As we sail along in the voyage of life we witness many wrecks. Most certainly, the history of the families in the northern towns of Scotland in which I was born and reared, is full of domestic catastrophes ; but, in regard to the families of publicans, I can scarcely remember any who have escaped notorious shame."†

§ 164. The interest of the Tradesman is clearly on the side of prohibition : for every shilling spent on drink is abstracted from dress, furniture, food, or books (which are the food and furniture of the mind). The transient and selfish pleasure of drinking, indulged in by such crowds of our citizens and working men, and to which the Traffic tempts them against their better judgment, is the virtual withdrawal of so much business from other and innocent trades, the prosperity of which, unlike that of the Drink-

\*This again induces *inefficiency* as regards the law—for the woman cannot enforce it, and has to 'beg and pray' her customers to quit 'a reasonable hour.'

† *Scottish Review*, vol. iv, p. 273.

seller, is a sure sign of general happiness and material progress.\* If we assume that *one in twenty-one* of our adult population is interested pecuniarily in the Traffic, which is somewhere about the mark, then we have *twenty to one* interested in its total and immediate abolition.

§ 165. The *Working Classes* especially have their interest and elevation wound up with the success of the Alliance. Only those who are base enough to fawn—men who flatter but to fleece—will compliment them, as a class, on their sobriety and self-control. Like every other class, they have their class-faults—and when these faults stand in the way of the social advancement and political power of the working men, only their worst enemies, or ill-judging friends, would counsel silence. Earnestly, then, and in all sincerity, we warn them against false hopes of sudden social elevation, and particularly against pot-house agitation and agitators.

He that drinks for liberty  
Faster binds all tyrant power ;  
And the *Traffic's* cruel glee  
But postpones the People's hour.

Their rights, as laborers and citizens, can never be secured until they *are* men—temperate, self-respecting, and enlightened; and, therefore, united and powerful. 'Strikes' will never aid them, for they fight capital with unequal weapons; political agitation is still more feeble when arrayed against the privileged classes, who, if they were willing, dare not, in fact, trust the

\* *Chambers's Journal* states that in forty cities and towns in Scotland, every 149 of the population support a dram-shop, while it takes £81 to keep a baker, 1,067 to support a butcher, and £,231 to sustain a bookseller. A local illustration will perhaps bring this subject most distinctly to bear, which we extract from a model pamphlet, entitled *Newcastle as it is*; reviewed in its Moral Aspects, Social State, and Sanitary Condition. (Tweedie, London. 1854.)

*Relative Proportion of Traders in Food, in Clothing, and in Strong drink.*

|     |                           |
|-----|---------------------------|
| 290 | Butchers                  |
| 67  | Bakers and Flour Dealers. |
| 131 | Grocers and Cheesemongers |
| 21  | Eating-houses             |

509

|     |                             |
|-----|-----------------------------|
| 103 | Drapers (Linen and Woollen) |
| 19  | Shoemakers                  |
| 27  | Hatters                     |
| 179 | Tailors                     |

507

|     |                                  |
|-----|----------------------------------|
| 44  | Drink-manufacturers              |
| 55  | Ale, Wine, and Spirit Merchants. |
| 425 | Public-houses                    |
| 76  | Beer-shops                       |

600

In every large town in the kingdom, a similar enquiry should be instituted, and the whole relations of this question brought to bear upon the *locality*.

laborer with the franchise. *The working-men must help themselves first of all*, and then their friends in other ranks will be able to help them too: until that first step be taken, the second is impossible.

If we regard the condition of social environment of the mass of our artizans—if we take into account, not only the high wages of many sections of them, but, in contrast with the Continent and other countries, their universal freedom from taxation on the necessaries and simple comforts of life;\* if we contemplate, also, the manifest willingness of other ranks to contribute to their social welfare, as they have already supplied so many appliances and means of education,—we shall perceive that the Working Classes of Britain possess unparalleled opportunities for social elevation. Why, then, are you degraded and helpless? Why the political Pariahs of the Constitution? The late Mr G. R. PORTER hit upon the solution in his celebrated paper on '*the self-imposed taxation of the Working Classes*,' where he shows that, excluding wines and brandy consumed by the wealthy, the Industrial Classes expend upon *Bacchus and Tobaccos*, the enormous sum of £53,411,615 sterling!

This fact at once furnishes a key for unlocking the social difficulties of the nation. The discussion of impracticable Theories of Population might be safely postponed for centuries, and problems concerning hours of labor, emigration, pauperism, and crime, receive a ready and natural solution—if the People would insist upon the removal of that which tempts them to this needless and prodigate expenditure. The secret of the creation of a wealthy class is in *capital saved*, instead of capital swallowed: and the course by which some poor men have risen to riches, is open to *all*. Not that we recommend the insane pursuit of wealth, such as we sometimes behold it; *competence and ease* are the better conditions, acquired *without* that continual strain and care which in the end frustrate the enjoyments of the affluent. For the worthier pursuits of life, which furnish the most real and lasting happiness—for a life, simple, refined, and intellectual—wealth is happily *not* required; but it is one of the compensations of the large class lying at the basis of society, that, while the opulent are obliged to expend their means, not in natural channels which contribute to their own happiness, but in show and luxury, and modes dictated by a tyrannous Convention—the self-imposed tax of the wealthy—there is

\* "Whatever he contributes to the revenue is a purely *voluntary* contribution. If he confines himself to a strictly wholesome and nutritious diet, and to an ample supply of neat and comfortable clothing,—if he is content, as *so many of the best, and wisest, and strongest, and longest-lived men* have been before him, to live on bread and meat, and milk and butter, and to *drink only water*; to clothe himself in woollen, linen, and cotton; to forego the pleasant luxuries of sugar, coffee, and tea, and to *eschew the noxious ones of wine, beer, spirits, and tobacco*—he may pass through life without ever paying one shilling of taxation. Of what other country in the world can the same be said?"—*Edinburgh Review*, April, 1851, p. 315.

nothing to debar the masses of our people from the enjoyment of a competence.\*

By a simple and frugal life alone, a *people* can put by a capital for securing their own general elevation and permanent prosperity. Such a course is the only practicable one for re-knitting the broken bonds of society, by narrowing that wide gulf which separates classes—diminishing the numbers of the very rich, and vastly increasing those of the comfortable and ‘well to do.’ It is an undoubted evil that the capital of material civilization should be aggregated into masses, and held at the disposal of the few rather than the many, for the disparity of power, thus created, affects, at once, the *objects* of production and the direction of their *distribution*. This, in reality, is the evil of luxury—that forerunner of national decadence. It originates the loss of labor in the production of articles which are either worthless, or exceedingly limited in the circle which can enjoy them—it prodigiously augments the numbers of the unproductive classes, an evil comparable to the evil of standing armies or pensioners; thereby imposing an extra burden of toil upon those who *must* work. But this evil is insignificant compared with the self-inflicted one of the Laboring Classes, who expend, not only what might easily be put by for capital, but the very means of the daily bread and education of their families—expend £20,000,000 annually upon a selfish and sottish pleasure, enjoyed apart from their household—expend it in pernicious articles of luxury, which involve the waste of money, the misapplication of capital, the increase of an idler-class, and of paupers, criminals, and taxes—which, in fine, more than any other agency ever known, contracts the labor market, lessens the fund out of which wages *must* be paid, and, by necessity, augments the toil, while it diminishes the rewards, of labor. The Licensed Victuallers boast of the importance of their trade to the country, because it has a *fixed* capital of £20,000,000. But here are the Working Classes alone casting away *annually* a far larger capital—a capital imperiously needed for their own comfort and independence. It must be obvious to the least reflecting reader, that the only natural and efficient remedy for the evils which affect the Laboring Classes—is the diversion of these means of elevation into legitimate channels of trade, manufacture, and commerce. Let one part of this enormous sum now only thrown into the caldron of mischief, be expended upon food, clothing, furniture, and education, increasing at once the happiness, dignity, and influence of your class,—and another or surplus part be reserved, and, on the principle of association now legalized, applied to the purchase of the material

\* To the many examples of *Maine Law Districts* already given in this work, let us add another:—

“*DISORWIC, North Wales.* Population, 800: chiefly quarry men. Wages of laborers, 15s. per week; quarrymen, 20s. *Almost all sober.* In the Saving Club is deposited about £1,000 annually. Houses neat and clean. *No paupers, save several very old people.* *No Public House for sale of Drink within two miles.*”

and machinery of reproductive manufacture and commerce—in short, let the many *as a body* imitate the career of the few—and no power on earth can possibly prevent, or even long retard, your enfranchisement. We know indeed what is the immediate hindrance of the sobriety of your class. It is the temptation of the licensed Traffic—the ‘TRAPS,’ as they are truly called, amongst yourselves. If the PUBLIC HOUSE is your worst enemy—the Alliance, then, must be your best friend. Its claims are before you—you will consider them—and act befittingly.

§ 166. We have addressed the Working Classes with respectful freedom; but a word on their behalf is also due to the Wealthier Friends who desire their improvement—those who, while acknowledging the ‘Claims of Labor,’ do not forget the Duties of Capital. It is a pleasing sign of the Times, that the Laborer is cared for at all: that on his behalf Sanitary Commissions and Mine and Factory Inspectors are sent forth—that official enquiries are instituted into reported abuses of every description—that education is organized, and Schools of Art set up. But is there not one great drawback? We have charitable associations and legislative remedies for every possible variety of wretchedness—*save the greatest of all, and the seat and source of most others.* It is not better men we want, but wiser measures: measures which go at once to the *root* of the matter, and go in the *right way*. The relations of an effete feudalism cannot be revived: and ought not if they could. We must appeal to the artizan as a man, and, by the removal of overbearing seductions on the one hand, and by wise aid and instruction on the other, *help him to help himself*, without destroying his sense of independence.

“To distressed individuals of all ranks, we owe tender compassion and charitable aid; to the lower orders, as such, we owe *not charity but justice*,—not so much the open purse, as the equal measure. Advice, as far as they will receive it; guidance, as far as they will submit to it; control at times, as far as the freedom of the constitution will enable us to exercise it; education of the best quality, and to the utmost extent that our unhappy sectarian jealousies will permit us to bestow it. We owe them fair-play in everything; justice of the most even-handed sort,—full, unquestionable, and overflowing;—*the removal of every external impediment which prevents them from doing and being whatever other classes can do and be.* We owe to them every facility with which we can surround their conflict amid the obstacles of life,—*facility to acquire temperate habits* [instead of legalized temptations to intemperance]. We should enable them to *get* everything, but should profess to *give* them, as a class, little or nothing, *save education.*”\* The Alliance presents the opportunity for doing good to this class by wholesale—namely, by originating

\* *Edinburgh Review*, April 1851.

facilities for repressing the temptation to wholesale ruin,—for the removal of social impediments to popular elevation, *and the initiating of temperate habits*—a thing utterly inconceivable amidst the machinery of the Traffic.

This is an age when we ought to study at once the policy and the economy of Benevolence; for we need *all* our strength to cope with the complicated evils of society. Policy and Economy combine in *this* question; teaching the Philanthropist to go to the source of misery, to prevent effectually, instead of palliating imperfectly. Destroy the Traffic, and dirt and filth, ignorance and youthful depravity, will disappear more rapidly than if you issued a thousand Sanitary Commissions, or erected a hundred Reformatories. Compare the Education *Census*, *Redgrave's Criminal Tables*, and the *Excise Returns*, and at once the great fountain of mischief is disclosed: leading us to perceive the true and only remedy for our social evils. It is startling enough to know that Bucks, Beds, Hunts, Monmouth, and other counties *with the greatest amount of Religious and Secular Teaching*, are, nevertheless, *nearly twice as criminal* as some of our most ignorant counties! How is this? Because the School and Church have to contend with the Tavern and Beerhouse; so that, while Education has been ameliorating society in one direction, the Traffic has been corrupting it in another. We present a table, which will grow more instructive the more it is examined,—showing the relation between the Drinking facilities and Crime in 24 of the English counties. Other counties might have been added, had we not preferred to give only the extremes of contrast, and to derive our illustration from official returns, and in reference to *licensed houses* exclusively. It could be shown that in the *Cider* counties, and some others, there are several baneful drinking facilities in addition to the legal ones. Besides illicit drunkenness in Hereford and Somerset, the farmers pay the wages partly in drink. (§ 125, § 131.) To simplify the documents as much as possible, we have fixed upon 100 as the average or mean of the 40 counties of England; and in reference to all the four Factors of (1) *Attendance at Religious Worship*; (2) *Popular Education*; (3) *Public-houses*; and (4) *Criminality*, and on an average of years. (*Of course, the same proportion to population in all cases is expressed.*) The symbols are the usual ones, viz., for *plus*, +; for *minus*, —; and for *full*, ÷.

| TWELVE COUNTIES<br>WITH DRINKERIES AND CRIME<br>plus.<br>+ | Licensed<br>Houses. | Crimes. | TWELVE COUNTIES<br>WITH DRINKERIES AND CRIME<br>minus. |                  | Licensed<br>Houses | Crime. |
|------------------------------------------------------------|---------------------|---------|--------------------------------------------------------|------------------|--------------------|--------|
|                                                            |                     |         | CORNWALL                                               | DEVON            |                    |        |
| BEDS [Education and Religion +]                            | 160                 | 100     |                                                        |                  | 25                 | 48     |
| BERKS ....., [Ed. and R. +]                                | 150                 | 140     | CUMBERLAND .....                                       | [Ed. and R. —]   | 33                 | 50     |
| BUCKS ....., [Education +]                                 | 170                 | 108     | DEVON .....                                            | [Religion +]     | 54                 | 98     |
| CAMBRIDGE ....., [Education +]                             | 160                 | 115     | DORSET .....                                           | [Ed. and R. +]   | 52                 | 77     |
| ESSEX ....., [Religion +]                                  | 114                 | 113     | DURHAM .....                                           | [Ed. and R. —]   | 60                 | 60     |
| HANTS ....., [Ed. and R. +]                                | 115                 | 125     | LINCOLN .....                                          | [Rel. and Ed. +] | 73                 | 87     |
| HERTS ....., [Ed. and R. +]                                | 175                 | 125     | NORTHUMBERLAND .....                                   | [Religion +]     | 86                 | 99     |
| HANTS ....., [Ed. and R. +]                                | 175                 | 108     | SALOP .....                                            | [Education —]    | 80                 | 99     |
| KENT ....., [Religion +]                                   | 150                 | 112     | SUSSEX .....                                           | [Rel. and E. —]  | 40                 | 70     |
| MIDDLESEX ....., [Rel. and Ed. —]                          | 150                 | 140     | WESTMORELAND .....                                     | [Rel. and E. +]  | 40                 | 74     |
| OXFORD ....., [Ed. and R. +]                               | 126                 | 124     | RUTLAND .....                                          | [Rel. and E. +]  | 97                 | 99     |
| SURREY ....., [Ed. and R. —]                               | 137                 | 113     | YORK .....                                             | [Rel. — Ed. +]   | 65                 | 77     |
| Average .....                                              | 147                 | 119     | Average .....                                          |                  | 58                 | 78     |

Here we perceive, in spite of Education and Religious Instruction *plus*, that 12 counties whose average Drink-facilities are 47 per cent above the mean, are in *Crime* also 19 *above* it; while, on the other hand, 12 counties that are 42 below the national mean of Drinking-houses, are, notwithstanding ignorance and neglect, 22 per cent *under* that of crime. As regards the repression of Crime, therefore, these facts show that Ignorance, conjoined with *less* drinking facilities, is much better than Knowledge and Religious Instruction conjoined with *more*. In other words, that *Public-houses are more potent for evil than anything else for good*. We may resume this topic in a sequel to the present 'argument': but, in the meantime, we place the FACTS before the reader.

§ 167. "To the MAGISTRACY of this country, there not only belongs all the responsibility that wealth, rank, and intelligence involve, but there is superadded all *the responsibilities of office*. To them is committed the administration of the laws, not only for the 'punishment of evil doers,' but that they may check and control the sources of evil and crime. Such, for example, is the power which the Legislature has given them over the LICENSING OF HOUSES FOR THE SALE OF INTOXICATING DRINK. Their authority over these houses involves them in serious responsibility, which, we fear has never been sufficiently considered.\* In reference to the sources and occasions of intemperance, this discretionary power may be directed either in a beneficial or a baneful channel, in proportion as it is exerted to diminish or to multiply the *means and temptations* to the nation, of gratifying an unnatural and morbid thirst for intoxicating liquors, and by which they impart or withhold a *public sanction* to those opinions and practices with which intemperance and its concomitant vices are identified. This discretionary power, then, ought to be employed in a manner most accordant with the original spirit and evident intention of the law, if good—or dealt with according to its tendency to promote or obstruct the great purposes of

\* In a tract published in 1704, by STEPHEN HALS, D.D., clerk of the closet to the Prince of Wales, entitled "*Friendly Admonitions to the Drinkers of Gin, Brandy, etc.*: With an humble representation of the necessities of restraining a vice so destructive of the Industry, Morals, Health, and Lives of the People."—Dr HALS observes—"It is matter of wonder, that an universal indignation is not raised against so destructive a Pest; for how is it possible for men that have any sense of humanity, any bowels of pity, but especially for those who profess themselves to be Christians, to stand by and see, unconcerned, so destroying a fire rage among their fellow-creatures, without exerting their utmost efforts to extinguish it? It is sure the duty of every man to set to his helping hand and oppose it to the utmost; but *more especially those who have it in their power to KEEP UP THE FENCES against the encroachments of this terrible destroyer*. For of all the miseries and plagues that unhappy man has been incident to, none was ever so effectually destructive as this; not even those three sore judgments—of war, pestilence, or famine; which after having raged for some time, cease. But *this evil spirit is an unrelenting, merciless enemy, that threatens destruction from generation to generation*... Now, since it is found by long experience extremely difficult for the unhappy habitual dram-drinkers to extricate themselves from this prevailing vice, so much the more it becomes the duty of the Governors of the Nations to withhold from them so irresistible a temptation."

social life—peace, virtue, and happiness. Now, what was the original end contemplated by the law in reference to the establishing and licensing of Public Houses? Simply, that they should be houses for innocent and necessary refreshment.

"But what says the voice of impartial history? What, the varied, multiplied, and constantly renewing enactments of the Legislature? What says bitter experience? They all proclaim the fact, that *these houses have totally reversed their original character*, and become places where the unwary have been seduced, the strong tempted, and the weak ruined; in short, they have been transformed (by the gradual, but natural, operation of the intoxicating agent, to the sale of which they are now almost exclusively devoted) from houses of public refreshment and accommodation, into temples consecrated to sensuality and Bacchus. The abuse has become so common as almost to lose its power to startle. Men have worn off their sense of responsibility in this matter, and it is high time that they should be aroused from their sleep! The fact is seen and confessed; but its evil, its wickedness, is not felt. The eye sees, but the heart and the conscience are unmoved. Nevertheless, responsibility remains, and presses upon every individual.

"If *all* men are bound to use their influence against this wide-spreading evil, how much more the Magistrates of the land, in whose power it is to abate the nuisance! Have these houses increased in number far beyond the reasonable requirements of public convenience? The Magistrates have power to reduce them indefinitely. Have Public-houses violated the laws enacted for their government? Are tippling and drunkenness, idleness and gaming, and many other vices, not only tolerated but encouraged in them? The Magistrates have power to *refuse their licences*: and having this power, they are bound to use it. The sober, industrious, and intelligent of the community, look to them for protection against these evils. The appeal is made, and justly, from those who *suffer* to those who are able to *prevent*.

"Many Magistrates have already declared themselves favorable to the object of Temperance Societies; but the operations of these Societies are thwarted and contracted by the licensing of Public-houses. While, on the one hand, vast bodies of noble and patriotic Englishmen are devoting their energies to the suppression of intemperance, the Law and Magistracy of England are, on the other, licensing and increasing houses devoted to its promotion! He, therefore, who is a friend to the licensing of drinking-houses, is practically an enemy of Temperance: and no Magistrate, who is a member or a friend of the Temperance Society, can, consistently, sanction the licensing system, since the tendencies of Temperance Societies and of Public-houses are the very opposites of each other."\*

\* From the *British Temperance Advocate* Supplement, June, 1839. Every Judge and Jailer and Prison Inspector throughout the Kingdom has been telling us 'the

§ 168. Members of *Temperance Societies*, from their knowledge of the evil and their appreciation of its malignancy, may, above all others, be expected to hail the Alliance. They are the trained 'Iron-sides' and 'Life-Guards' of the enterprise. As Citizens, they are competent to join us—as Teetotalers, they should be our staunchest auxiliaries. Combined to put down Intemperance, they are virtually *pledged* to remove its chief cause. The Traffic not only creates new drunkards, while they are striving to reclaim old ones—it perpetually seduces and prostrates their willing but weak disciples. That the *principles* and policy of the Alliance are nothing new, is sufficiently evident from the preceding section—which is extracted from an Address to Magistrates which we published sixteen years ago. But that very fact teaches another truth of policy: it teaches the folly of reliance on mere talk, where Interest and Custom are entrenched in Law. We must storm that entrenchment; expel the enemy, and then build up a *legal rampart* against his return for ever. The "children of this world"—the *Secularists*—"are wiser in their generation" than those who should be "the children of *light*"—but are not always. We observed recently, in a scheme for a Secular Institute, wherein *no religion* is to be taught, the proposal to introduce in the Trust-Deeds a clause *excluding all ministers of Religion* from the management. Admirable policy—for the purpose. So the Temperance party should act in reference to their dogma: not only teaching and practising the truth of To-day, but *refuse to License an Interest* to teach and to tempt the people otherwise To-morrow. This is their 'material' guarantee for the future—the necessary condition of permanent success—since, in the long run, practical institutions of an antagonizing character, would be sure to overturn theoretical ideas, moral sentiments, and transient enthusiasms. Twenty years ago the Patriarch of your cause, JOSEPH LIVESAY, in his letter on the Beer Bill, insisted on the evil of the Licensed Houses. But what has been *done*? Twenty years *practically lost*—because, as a party, your policy was not *bold* and *grand* enough. You trusted to moral suasion, and shunned political action. The shallow cry of extremes—the timid policy of 'Not so fast—not so much'—made much of your work end in little. We should have assailed as a body *the whole system*—should have ventilated (as we are now attempting) the *entire Traffic*—proving and proclaiming it to be what it is—a social nuisance, and a moral wrong, calling for *total* and *immediate* abolition. This, and this alone, is the grand secret of the success of the demand for the Maine Law in the United States. It went straight to the hearts and

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old story' since that day. It was reserved for the *Economist*, sixteen years after, viz., in June 1856, to announce, on the authority of some shallow, confused, and imperfect statistics—that there is no material connexion between Drinking-houses and Public-disorder! The best we can say of the *Economist* is, that it has lost its philosophy in its figures—and cannot see the wood for the trees.

consciences of the people : it took fast hold of their moral will, because it appealed to their *moral-sense*. It proposed no distinction of 'respectable' and 'low'—of few or many. It refused to whiten and garnish the sepulchre : to hoist over the Door of Temptation the emblazoned banner of Licence—to put upon the Traffic the sign and symbol of Law—to give to it the sacred *imprimatur* and sanction of the State. It said not to the mercenary man, " You *may* do wickedly, if you keep within bounds, and hide the corruption from the public gaze." It entered into no copartnery and compromise with a business that prospers by the creation of paupers and criminals, and *makes* three-fourths of the whole business of the Executive of Government itself. But it said, consistently and plainly, This thing is *wrong* ; and this wrong shall *not* be done, neither with the State's sanction, nor the State's cognizance. Thus it freed the Public Conscience of the Commonwealth from all share in temptations to drunkenness ; it cleared the State from that which defiled and degraded its subjects, as the Human Father would desire to exempt the Household from that which pollutes, or as Christ, with divine benignancy, cast out the unclean Spirits from the tormented demoniacs.

Peruse the History of the Movement in the United States, and profit by the lesson. Our interpretation of your position and prospects is that universally accepted in the parallel History of America. Says the Rev. Dr MARSH, the successor of EDWARDS in this Enterprize, in a recent sermon :—

"Fourteen, even seventeen years ago, the minds of men in several of the States were fastened upon *entire prohibition*, as the only remedy for the evils of intemperance. And had it ripened and become the great principle of action, Oh, what a tide of blessedness would have rolled over the land ! But at that moment the great Washingtonian reform arose. It was a mighty whirlwind of love—love for the poor drunkard ; love for the drunkard-maker ; love for the distiller and brewer. It discarded all law. It would reform the world by pure kindness. The hardened vender took refuge in its sanctuary. *Only let him alone*, and deal kindly with him, and he would abandon his business—as soon as convenient. Then moral suasion took the throne to do its own work—and the work of another. *Here was its great error, and the cause of its failure.* AND IT WAS TEN LONG YEARS BEFORE WE REGAINED THE GROUND LOST."

§ 169. We have already pleaded for *Women* ; on such a theme, it is hardly needful we should plead to her ? She—

*No Angel, but a dearer being, all dipt  
In Angel instincts, breathing Paradise;  
Interpreter between the Gods and men.\**

She whose nature is made for intenser sympathy and deeper

love than man's—and who is, besides, in a peculiar sense, degraded and victimized by Intemperance—will neither be indifferent to the claims of the Alliance, nor tardy in offering to it her powerful support. Already have myriads of British females, with admirable propriety, addressed the Sovereign Lady of these realms, and intimated the necessity they feel of having their children and their kindred *protected* from the licensed temptations to wrong. The suffering is patent to every one; no *Maud* is required to recal tragedies of domestic cruelty hourly occurring—

"When the vitriol-madness flushes up in the ruffian's head,  
Till the filthy by-lane rings to the yell of the trampled wife."

But there is need that woman, putting aside an over fastidiousness which is not modesty, should know the evils and dangers of her sex, and look them closely in the face, in order to supply the antidote. Can she doubt, then, that her great enemy is the Public-house—the avowed rival of the domestic hearth, as that should be made the rival of the Bar-parlor:—that bar, dangerous alike to her husband, her sons, and her servants—dangerous in its company, its amusements, its attendants, and its concomitants—dangerous, in many ways, to the virtue and purity of her sex. Moreover, the Traffic, in impairing the fine tone of the masculine mind, makes Woman and the household suffer; for by whatever entrenches on the modesty and sobriety of woman, man himself is tainted and lowered. What more demoralizing than the sight, the other day, in the streets of a Northern town, of a Woman, good looking and handsomely attired, so helplessly drunk, that fast as the passers-by lifted her up, she sank upon the pavement, murmuring, with a quaint fitness, the snatch of the old song—“Fall as the leaves fall!” But we have a still more horrible complaint against these public-houses. Many of them directly (as *all* indirectly) have in their female frequenters, inmates, and hangers on, rivals in another sense. In a pamphlet now lying before us, the writer, a fellow fittingly known as “Baron NICHOLSON of the *Coal Hole*,” shamefully contends for the propriety and privilege of Licensed Victuallers entertaining Prostitutes! The extent of this evil, in connexion with the Traffic, no public statistics accurately indicate: and we will here simply adduce a sample of its nature and causes, the blackest disclosures having been already made.

A Leeds Surgeon, and a Factory Inspector, has favored us with the following fearful disclosures:—

“Ann C—, committed for trial on a charge of felony, told me that she went astray first in consequence of going to a beerhouse, in — street, along with other mill girls, to dance—that failing to attend her work punctually, was turned off; she then commenced an infamous life. Often went with other girls to — (another beerhouse). Sometimes from 40 to 60 young men and

girls met there to dance. The mistress kept the keys of the bed-rooms, and demanded one shilling every time the key was requested.

"**MARTHA P**— was the daughter of a widow, at C——. Came to Bradford as a servant at the —— beerhouse—the conditions of service proffered her by her mistress were:—food and lodging for her work; but to find her clothes, she must go with *friends*; and whenever she occupied a room, she would have to pay 1s. for its use. The wretched girl, scarcely comprehending the proposition, remained, and was ruined. Up to that period, she had been a good character.

"**MARY K**— states that after the death of her mother, she was, one evening at New Leeds Tide, persuaded to go into a beerhouse in —— street. The mistress being in want of a servant, hired her on the same terms as in the preceding case. On the 11th March, 1854, she was committed on a charge of felony."

In Newcastle-upon-Tyne, June 13th, 1853, 30 out of 40 cases brought before the bench, were discharged, *because they could not be punished*. Of these 40, not less than 21 were cases of disorderly drunken women. On another occasion, when the gaoler expostulated against the committal of nine loose women to gaol for a month when the gaol was full, Alderman LONGRIDGE remarked—"If they *would* keep open so many Public-houses, they *must* expect it." Mrs ROBSON the experienced matron of the Penitentiary, remarks "that Prostitution *greatly proceeds from the bad example of parents, arising from intemperance*. The drink, and the facilities for drinking, present the greatest difficulties to female reformation."

At a meeting of the Durham County Penitentiary, Mr F. D. JOHNSON, the chairman, said—"Out of the 17 inmates, *eight* were between 14 and 16 years of age; and 13 under 20. Being, from their youth, quite unable to guide themselves, *they were got hold of as servants by the keepers of low public-houses, and by them induced to resort to a profligate life*. Out of 11 inmates who had been servants, 6 had been hired by the keepers of Beer-shops, quite young girls, perfectly ignorant of the peculiar nature of the houses."\*

The smiles of Seraphs are less awful far  
*Than are the tears of this Humanity,*  
 That sound, in dropping, through Eternity—  
 Heard in God's ear, beyond the farthest star.

If British Women would wipe out this stain and suffering from their sex and country, they must help the Men of Britain to close the Nurseries of it.

\* Vide *Newcastle as it is*. That existing associations are inadequate to cope with the wide spread evil, is painfully apparent. A county penitentiary with 17 inmates!

The Woman's cause is Man's : they rise or sink  
 Together, dwarf'd or godlike, bond or free :  
 For she that, out of Lethè, scales with man  
 The shining steps of Nature, shares with man  
 His nights, his days, moves with him to one goal—  
*Stays all the fair young planet in her hands.*

But while we urge the duty man owes to woman, he must not forget that which woman owes to her offspring. Let British Mothers but discharge the duty, not merely of nurture, but of social protection,—and both Man and Woman, in the immediate future, shall have room for hope, for purity, and for progress.

And so those twain, upon the skirts of Time,  
 Sit side by side, full summ'd in all their powers,  
 Dispensing harvest, sowing the To Be.

In advocating prohibition, be it remembered, we are pleading for the injured wife and the helpless children of the victim : a million of such kneel and pray, “Deliver him from temptation, and you ransom us from worse than death.” Let us take heed to this cry of human suffering ; so shall we ‘sleep in blessings,’ and our tomb be kept white by the grateful tears of children wept upon them.

§ 170. From *Christian Ministers*, above all men, the Alliance may justly expect cordial and constant assistance. They who are set apart to illustrate by their learning and eloquence “the beauty of holiness” and the “exceeding sinfulness of Sin”—who are called to minister in ‘holy things’—should, in their practice and influence, manifest the least tolerance for the Sensuality and Vice, Disorder, Blasphemy, and Uncleanliness, which constitute the vital blood of the Traffic. Which of you, we ask, ever gave to the weakest disciple of your blessed Master, or to the most perfected Christian, this advice !—“*Go to the Public-house.*” What communion hath the Church of Christ with the Temple of Bacchus ?\* What bond can unite together Comus and Christianity ? The places, the spirit, the works, are not common—not even subsidiary, the lower to the higher—they are, as we have proved by the evidence and facts of this volume, essentially

\* Sometimes, indeed, a strange conjunction occurs between the *Temporalities* of a Church and the Traffic, which first corrupts the people, and then everything else of course. Take the following evidence of the low state of the masses under the training of the Traffic :—

“*HOUSE OF LORDS, TUESDAY, JULY 8, 1856.*—The Earl of SHAFTESBURY, in moving the second reading of the Adyowsons Bill, said that its object was to facilitate the sale of advowsons that were at present in the hands of many owners. The election to such presentations was attended by the most disgraceful proceedings, and the greatest scandal to the Church, and this Bill had for its object the sale of these livings, and the application of the purchase money to the benefit of the parish and the parishioners. The noble earl proceeded to read a letter which he had lately received from Bilston, which described the scenes of rioting and drunkenness that prevailed. *All the public-houses were open, and drunkenness prevailed to a direful extent; in fact, the whole proceedings were most disgraceful.* Some time ago an election occurred in the populous parish of Clerkenwell. He was almost afraid to repeat what then took place, *so indecent and utterly blasphemous were the whole proceedings.*”

*antagonistic* and *irreconcilable*. With Paul, to be filled with "wine, wherein is excess," was the antithesis of being filled with the spirit of peace and joy. The work of the Church is worship and thanksgiving ; the service of the Tavern is revelry and riot, blasphemy and blows. In one, Humanity is consecrated ; in the other desecrated ; in both 'elevated,' it is true—but in how opposite senses ! What is the occasion, at once, of so much sin and suffering, dishonor and defilement, as the Traffic ? In proportion, therefore, to your reverence of God should be your reprobation of *it*—and in the ratio of your love of Man should be your hatred to this destructive and degrading Trade ! What system creates obstacles so inveterate to the influence of Divine truth, and all the kindred agencies of instruction, charity, and love ? It is an agency which not only darkens earth, but casts its shadows and consequences into the dread future. In a national conflict with the 'works of darkness,' Christian pastors should, therefore, occupy no equivocal position.

§ 171. Prohibition, as we have seen, has special claims on both sexes, and on every honest class and party : but it has supreme claims on the common heart. We are all here for a purpose ; a purpose inextricably connected with the development of ourselves and the welfare of the world ; a purpose whose formula of action is, *Each for all, and All for each*. When that purpose is concerned, or that law is in question—we must know nothing of sect, or party, or class. There is but one platform for us—the broad platform of Humanity ; but one interest to consider—that of our common Brotherhood. In this cause, then, we must be ready to lay down our egoisms and prejudices, recollecting that words are but symbols, while *conditions* are necessities.\* Duty is full of sacrifices and limitations : of which true moral and social laws are the expression. The development of Human Nature gives rise to three Institutions : the *Family*, the *State*, and the *Church*. These, as springing out of the Infantile, the Disciplinary, and the Spiritual conditions of Man, will have their corresponding institutions in the world. Thus from considering Social Life in its several steps and connected departments, we may gather some useful hints of our duty.

The *FAMILY* first receives us to its bosom on our entrance into life ; cradled in love, and protected from premature and mistaken action, the young heart is excited to grateful emotions. But while the Mother elicits our feelings, the Father's authority and

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\* The contest in the United States has illustrated this. Men, for long, legislated against the *issues* of the Liquor Traffic, and failed, because they did not touch its *body*. "That was property," cried Conventionism, and even some Reformers, for awhile, sanctioned the delusion. It was a prejudice which *selfishness* fostered, and it was utterly false. No man has, or can have, a right to property which, in exchanging it, inflicts injury upon me or mine. "Common Law," says BLACKSTONE, "declares that no man has a right to use his property to the injury of another, and that the *consent* of the party injured, is *no mitigation* of the offence."

masculine discipline *habituate* us to obedience—to order and law. In other words, the highest rational and moral power, sustained by coequal force, checks, regulates, and trains the inferior impulses and imperfect faculties of childhood. The Household, however, would fall asunder by the mere gravity of ignorance, or turn outward in violent and selfish commotions, were it not encircled by another and larger Society. Watch the well educated youth going forth into life at the yesty age of passion. How prone, but for *social* restraints and conventions, to follow headlong the stormy impulses of self-love, and become, either a stranded wreck, or a destructive influence! The highest sphere of all is the moral or religious, developed in the family and general society, but spreading and operating beyond by a species of spiritual Freemasonry; aggregating its scattered elements, by a divine affinity, into the Temple of the living CHURCH, for the interchange of love and faith. Into this, the profane and the violent must not enter. It is at this point we perceive the need of some mediating sphere, interposing between the Family and the Church. Accordingly the State is constituted to restrain the action of gross passion, to set outward limits to the encroachments of Egoism, and thus to allow *opportunity* for higher influences to exert their sway. The enforcing power is not the spirit of the law—rather must we regard it as the frame and canvass of the picture, which the Moral Suasionist, the Apostle of Truth and Faith, has to fill with the beauteous forms and glorious coloring of life. Civil government is maintained by the Judicial Tribunal, which becomes its symbol; and, as a symbol, a Teacher. The idea of Equity to our fellows—the doctrine of social equality—and all the kindred principles—are derived, because engendered, in this way. If my neighbour seeks to injure me by transgressing the limits of law, the flaming sword of Justice stands across his path, and while the innocent are protected, the criminal is constrained to order and habituated to obedience, and some outward respect for the sanctity of right.

Now, we have shown by facts that the Traffic essentially antagonizes these great purposes of life and society—the final ends of the Household, the State, and the Church. Every duty we owe to each, therefore, implies an obligation to remove the hindrance and rout the enemy. The sacredness of home, the honor of woman, the innocence of youth, the dignity of manhood, invoke us to destroy that which soils, disturbs, and debases the Household. The renown of our country, its industry and order, its enlightenment, peace, and happiness,—bid us banish that which degrades its people, tramples on its law, and blots its fame. Above all, Religion, ‘pure and undefiled,’ commands us to annihilate that which, beyond all other influences, counteracts its agencies, contemns its claims, pollutes its professors, and retards its consummation.

§ 172. Lastly, we would ask the reader mentally to sum up

the costs and consequences of the Traffic to all the great and varied interests of the nation. Endeavor, at least, to realize the *vastness* of its mischiefs, as represented under some broad general heads :—

COST AND LOSS OF THE TRAFFIC.

1. **COST OF LIQUORS** :—Ale, beer, porter, perry, cider, wines, spirits, etc. (legal and illicit), £56,000,000 annually. This item includes the working of the wasted capital of the manufacturer, (maltster, brewer etc.), licensed victualler, beerhouse-keeper, etc. (£35,000,000); and the labor of all engaged in manufacture and sale.
2. **COST OF PUBLIC-HOUSE SMOKING.** No one denies the connexion between the Pipe and the Pot! Tobacco-smoking is traceable to the extent of *one-third* to the provocatives of the Traffic : say, £2,000,000.
3. **COST OF TRANSIT** of Food from Foreign parts (as the Baltic, Black Sea, Egypt, Canada, and the United States), to *replace* that which is destroyed at home, £2,000,000.
4. **COST OF ACCIDENTS**, so far as *loss of limbs* and *injury to the person* is involved. This item includes medical attendance and support while ill ; and whether in public hospitals or private houses ; say, £150,000.
5. **COST OF DISEASE.** (a) *Physical*. This includes not only delirium, but dyspepsia, inflammation, general chronic ailments, fevers, cholera, etc. (b) *Mental*. Idiocy, imbecility, and madness, with more than 30,000 victims. It is certain that £4,000,000 would be under the mark of this cost.
6. **COST OF PREMATURE MORTALITY.** (a) Expenses of Inquests on those cut off by sudden death, through drinking, disease, and accident. (b) Funeral expenses of 50,000 persons annually, whose lives are prematurely shortened. Say, £250,000.
7. **COST OF PAUPERISM.** (a) *Legal*. This involves the expenses of vagrancy and pauperism : about £5,000,000 annually.\* (b) Orphanage ; alms-house, hospital, lying-in, and foundling charities ; common alms-giving to beggars, and local charity ; and Ragged and other School expenses for the children of Drink-made Poor. This item will not be less than £3,500,000.
8. **OFFICIAL COST OF CRIME.** This item comprehends summary and finable offences and actual commitments. It includes (a) Expense of detective police ; (b) Convicting of crime at sessions and assize ; (c) Prison and convict establishments, at home and abroad (of course, less value of Prisoners' labor). Say, £3,000,000.

\* We estimate only the *probable share* of the Traffic in the entire cost of Drinking. The annual cost of Liquors is 75 millions ; of Pauperism and Vagrancy, 7 millions of pounds sterling.

9. **LOSS OF MANUAL LABOR.** This head involves (*a*) *loss of time in drinking*, and in attendance on the diseased and criminal, as well as by the diseased and criminal themselves ; (*b*) Loss of time or labor through voluntary, and sometimes compulsory, idleness ; and through accident and injury to the machinery of labor. Say, £6,000,000.
10. **LOSS OF LIFE.** This loss involves a still greater economical Loss.—40,000 persons annually perish, prematurely, through the Traffic. But since they are chiefly adults in the prime and flower of life, whose existence is shortened, on the average, 10 years, we have annually a *loss of 400,000 years of life*—life in its prime—and, consequently, loss of most valuable capability of wealth. This, if only reckoned at £80 per year, equals £32,000,000 annually.\* Drinking creates not only a loss of products absolutely, but of valuable quality in productions : it injures, or deteriorates, what it *does* produce.
11. **LOSS OF ACTUAL PROPERTY** by drink-induced conditions. (*a*) Through *Bankruptcy*—an item of great moment in a commercial country, since it not simply involves loss, but induces derangements, which continue to spread disaster. (*b*) *Dishonesty* ; as fraud, forgery, robbery, and malicious injury. The official cost of crime is not *half* the real loss. The loss of time has been mentioned, but to this must be added the loss of property made away with. Money and goods are often recovered when Crime is detected—but then, only *one out of four* crimes has its perpetrator detected ; for one crime reported, two are not reported to the police ; and often for months, or even years, before a thief is caught, he will filch his £200 or £300 a year.† (*c*) *Prostitution*. This is fed by the Traffic to a large extent ; induces a vast misapplication of funds, as truly as did the Betting-houses—and is connected with an immense amount of Robbery, never, for obvious reasons, complained of to the Police. (*d*) *Accidents*. This covers sea and land, and includes fire and shipwreck, injured machinery, explosions, and collisions. These four items cannot involve a loss of less than £5,000,000.

\* The fact that this multitude would be part of the Nation to consume and enjoy a share in the fruits of their own labor, does not lessen the National loss : it only indicates *additional happiness* (the end of wealth) destroyed.

† At a meeting recently of the Society of Arts, Mr JELINGER SYMONS stated that the annual loss by thefts to the community in some of the large manufacturing towns was enormous. In 1834, the criminal statistics of Liverpool showed that 1,035 children were committed for felony ; the value of property *known* to have been stolen by these juvenile offenders alone was computed at £8,540, of which £1,367 only was ever recovered. The average number of commitments was 1,000 per annum ; of these 28 per cent *only* could neither read nor write. Mr MAYHEW says, in his *Great World of London*, that many youths support five or six persons by pocket-picking, and get £50 a week. He says, also, that there are 1000 robberies to one detection. We believe, however, that these are exaggerations—but the loss must be very great.

12. LOSS OF MENTALITY: the source of Art, Science, and National power. This manifests itself in diminished productions of the following orders. (a) *Aesthetic objects*, as pictures, statuary, etc.; (b) *Utilities*, as inventions in machinery, and discoveries in practical art; designs and economies in architecture and building; (c) *Discoveries* in speculative natural philosophy and science; (d) *Books*, Poems, etc. It is a sorrowful truth, that *genius* has not only been prematurely extinguished in its career, but its development totally prevented, in a vast number of instances. The loss of valuable power and production in this direction, will be estimated very moderately at £1,000,000 annually.

It appears no extravagance to affirm, that all the misery realized, and all the enjoyment forfeited, through the operation of the Traffic, is purchased at the annual loss, or cost, of £120,000,000.

Such, then, faintly painted, are the 'fruits' of that system which the law has licensed—such the benefits which it suppresses, and the losses it entails—such the manifold evils which a Prohibitory Law, sustained by the people and upheld by the wise and good, is competent and certain to exclude from the commonwealth.

§ 173. Do not our facts and evidences challenge the most serious attention? Can the patriot, the philanthropist, and the Christian, long stand aloof from the Alliance? We confidently expect their adhesion. Time and Opportunity, which wait not for mortals, press for decision and for action.

" O love of man made Life of man, that saves !  
O man, that standest looking on the light;  
That standest on the forces of the night;  
That standest up between the Stars and Graves !  
Here is the choice, and now the time, O chooser !  
Echoes will wake down ages by thy voice.  
*Decide !* and be the gainer or the looser ;  
Then, in thy country shalt thyself new find.  
The single globule, lost in the wide sea,  
Becomes an ocean. *Each identity*  
*Is greatest in the greatness of its kind.*"

We beseech you, let not the moment of inspiration be lost. Our worthiest and our best will surely vindicate, not merely their patriotism and their policy, but also their Faith. It is more than a problem in political economy which *they* should aim to solve—nothing so mean as a balance of motives between convenience and principle. The destiny of this country—nay, of the Saxon Race—is suspended on the issue. By it will be determined whether, on the one hand, using the *Prohibition Lever*, we raise the degraded and dangerous classes, and stop the rapid manufacture of more, or whether we permit the cancer and corruption to spread, and leave it to terminate, as assuredly it

would, in the dissolution of social bonds and the reign of unbribled anarchy. *Remember!* that during the last ten years nearly **A MILLION AND A HALF OF CRIMINALS** have been in our prisons and let loose again. Remember, also, the new difficulty which has sprung up since the Colonies have rejected our social sewerage. “We are now in the unwonted case of having among us many thousands tainted, stigmatized, corrupted by crime, its slovenly habits and horrid associations. We are surrounded by men, forming no inconsiderable per-cent-age of the population, asking for work or for charity—conspiring against our property, and, if need be, our lives ; spreading the contagion and art of crime, waking while we sleep ; combining, while we act each only for himself ; and forming an *imperium in imperio* that may lead in time to the most disastrous consequences.”\* Let us, then, concentrate the forces of virtue and law upon the *strong-hold* of this ‘empire within the empire’—let us destroy its magazines and munitions of war, and effectually cut off the supplies. Let us enter upon this contest, indeed, with a tender sympathy for the victims of those mal-arrangements to which we have been consenting parties, but with an inimitable abhorrence of the spiritual and social corruption engendered. Let enlightened men of all ranks, of every sect and party, combine against a common foe, uniting a divine renunciation with a human, hopeful enthusiasm and liberality, by which alone great ends are achieved. Let us desire for our country, what we aspire after for ourselves, a progressive purification—that as we, having come out of one bath, seek in another to wash out the mortal stains which yet cling to us, until we pass, consecrated and pure, behind the veil—so may this noble Nation, by our efforts and sacrifices first cleansed from the defilements of the Traffic, age after age advance the cause of liberty and civilization amongst the Peoples of the earth, and, in this worthily fulfilling her providential mission, elevate herself to a sacred niche in the grand Temple of History—an inspiration and a glory for ever.

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\* *The Times*, April 4th, 1856.

Pass where we may, through city or through town,  
Village or hamlet of this merry land,  
Though lean and beggar'd, every twentieth pace  
Conducts the unguarded nose to such a whiff  
Of stale debauch forth-issuing from THE STYES  
THAT LAW HAS LICENSED, as makes Temperance reel.  
There sit involved and lost in curling clouds  
Of Indian fume, and guzzling deep, the boor,  
The lackey, and the groom. The craftsman there  
Takes Lethean leave of all his toil ;  
Smith, cobbler, joiner, he that plies the shears,  
And he that kneads the dough, all loud alike,  
All learned and all drunk. The fiddle screams  
Plaintive and piteous, as it wept and wailed  
Its wasted tones and harmony unheard.  
Dire is the frequent curse, and its twin sound  
The cheek-distending oath. 'Tis here they learn  
The road that leads from competence and peace  
To indigence and rapine : till at last  
Society, grown weary of the load,  
Shakes her encumbered lap and casts them out.  
But Censure profits little: vain the attempt  
To advertise in verse A PUBLIC PEST,  
That, like the filth with which the peasant feeds  
His hungry acres, stinks, and is of use.  
Th' excise is fattened with the rich result  
Of all this riot. The ten thousand casks,  
Forever dribbling out their base contents,  
Touched by the Midas finger of the State,  
Bleed gold for Parliament to vote away.  
Drink and be mad, then ; 'tis your country bids ;  
Gloriously drunk—obey the important call ;  
Her cause demands the assistance of your throats ;  
Ye all can swallow, and she asks no more.

COWPER, 1780.

## ALLIANCE LIQUOR LIST.

DEDICATED TO THE LIQUOR VENDERS OF GREAT BRITAIN.

The *Alliance Weekly News* completes with the present number its first year of publication. Week after week there have been recorded in its columns a large number of cases of untoward casualty and crime, the particulars of which have been supplied by quotation from newspapers published during the year, or by a few correspondents of our own. In every case thus registered, the party or parties were under the influence of alcohol, and came into peril, or suffered loss of property, limb, or life, in consequence of being under that influence. All the cases were of recent date at the time of publication in our list, all occurred within the United Kingdom, and the account of each was authenticated with the name of the source whence taken. The newspapers examined weekly have not averaged more than *twenty*; although there are hundreds of newspapers published in the kingdom, and several of them are published daily. The cases, therefore, recorded, are but a small portion of those which would have appeared in our list, had it been possible to consult every newspaper issued; for we may safely say, no newspaper ever goes to press without having in it one or more liquor cases; and to this the experience of all readers will testify. It is furthermore to be remembered, that of the cases of mischief occasioned by alcohol, not a tithing find their way into newspaper print; the rest lie shrouded in the jealous privacy which family pride, in the absence of public enquiry, invariably throws over them. And even of the few that escape into newspaper publicity, one-half, at least, are rendered useless for our purpose, through the carelessness or contrivance of those who supply them to the press, without indicating their implication with alcohol. It is a solemn and awful truth, however, that from an average of not more than twenty newspapers, and one or two private correspondents per week, we have been enabled to derive information during the last fifty-one weeks, wherefrom to register *two thousand two hundred and eleven* cases of serious accidents, premature deaths, robberies, suicides, murders, or other crimes, encountered or perpetrated by or upon persons who were under the operation of alcohol.

We have recorded within the year (1855-6):—

*Seven hundred and eleven brawls or violent ASSAULTS*, including many cases of stabbing, cutting, and wounding;

*Two hundred and ninety-four ROBBERIES* by or upon drunken persons;

*Two hundred and thirty-seven cases of atrocious CRUELTY upon wives or children*;

*One hundred and sixty-six cases of serious ACCIDENT or striking bodily peril*;

*One hundred and sixty-two actual or attempted SUICIDES*.

*Five hundred and twenty premature DEATHS*, generally with horrible accessories; and

*One hundred and twenty-one MANSLAUGHTERS and MURDERS*.

*Alliance Weekly News*, July 19th, 1856.

## RESOLUTIONS

*Adopted unanimously at the large Public Meeting, in the Theatre Royal, Manchester, October 3rd, 1855.*

"I.—That this meeting regards the influence of the Traffic in Intoxicating Liquors upon municipal and parliamentary representation as fraught with the most serious danger, and resolves to support all suitable efforts to emancipate the constituencies from so degrading a tyranny, and to secure for the great question of national sobriety the prompt and earnest attention of the houses of legislature.

"II.—That, convinced by the proceedings of the recent session of parliament that no safe or honorable compromise is possible with so deadly an enemy as the Traffic in Intoxicating Liquors, this meeting declares that, while desiring to aid every effort to relieve the people from the curse of intemperance, it will acknowledge no settlement of the question short of the total prohibition of the Traffic.

"III.—That this meeting, regarding with great satisfaction the rapid growth of public opinion in favour of prohibition, pledges itself to aid the United Kingdom Alliance by increased effort and support."

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